

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

Application Number

Filing Date

Application Number

Filing Date

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application Number

Filing Date

Status -- patented,
pending, abandoned

Application Number

Filing Date

Status -- patented,
pending, abandoned

I verily believe the original patent to be wholly or partially inoperative by reason that the original patent claims less than I had a right to claim in the patent. The claims fail to cover embodiments of the invention and inventions as claimed in the above-identified reissue application. The error arose without any deceptive intention on my part. The error arose during the drafting of the application and during subsequent amendments in connection with the prosecution of the application which resulted in the issuance of the original patent. The error occurred as a result of the attorney prosecuting the application and I failing to appreciate the scope of the invention and/or to properly identify the invention(s). The error was discovered subsequent to issuance of the original patent during a review of the original patent by the assignee and/or its representatives. I further acknowledge my duty to disclose information which is material to the examination of the application under 37 CFR § 1.56.

I reserve the right to file broadening claims for the present reissue application beyond the two year limit, and in any continuation or divisional reissue application based on the present reissue application.

Send correspondence to André L. Marais, BLAKELY, SOKOLOFF, TAYLOR &
(Name of Attorney or Agent)

ZAFMAN LLP, 12400 Wilshire Boulevard 7th Floor, Los Angeles, California 90025 and direct
telephone calls to André L. Marais, (408) 720-8300.
(Name of Attorney or Agent)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole/First Inventor Kuriacose JOSEPH

Inventor's Signature _____ Date _____

Residence _____ (City, State) _____ Citizenship _____ (Country) _____

Post Office Address _____

Full Name of Second/Joint Inventor Ansley Wayne JESSUP, Jr.

Inventor's Signature Ansley W Jessup Date November 11, 2000

Residence Willingsboro, NJ (City, State) _____ Citizenship USA (Country) _____

Post Office Address 22 Elmwood Lane
Willingsboro NJ 08046

Full Name of Third/Joint Inventor Vincent DUREAU

Inventor's Signature _____ Date _____

Residence _____ (City, State) _____ Citizenship _____ (Country) _____

Post Office Address _____

Full Name of Fourth/Joint Inventor Alain DELPUCH

Inventor's Signature _____ Date _____

Residence _____ (City, State) _____ Citizenship _____ (Country) _____

Post Office Address _____

Title 37, Code of Federal Regulations, Section 1.56
Duty to Disclose Information Material to Patentability

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
 - (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
- (1) Each inventor named in the application;
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

POWER OF ATTORNEY

OPENTV CORPORATION hereby appoints the persons listed on Appendix A hereto (which is incorporated by reference and a part of this document) as its respective patent attorneys and patent agents, with full power of substitution and revocation, to (1) prosecute and (2) transact all business in the Patent and Trademark Office connected with the reissue application serial no. 09/672,523, filed September 27, 2000 entitled:

APPARATUS FOR TRANSMITTING AND RECEIVING EXECUTABLE APPLICATIONS AS FOR A MULTIMEDIA SYSTEM, AND METHOD AND SYSTEM TO ORDER AN ITEM USING A DISTRIBUTED COMPUTING SYSTEM,

which is reissue of U.S. Patent no., 5,819,034, based on application serial no. 08/233,908 filed April 28, 1994.

Dated: 11/04/00

By: Umesh Desai

Umesh Desai

Associate General Counsel – Intellectual Property, OPENTV CORPORATION

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APPENDIX A

William E. Alford, Reg. No. 37,764; Farzad E. Amini, Reg. No. P42,261; Aloysius T. C. AuYeung, Reg. No. 35,432; William Thomas Babbitt, Reg. No. 39,591; Carol F. Barry, Reg. No. 41,600; Jordan Michael Becker, Reg. No. 39,602; Lisa N. Benado, Reg. No. 39,995; Bradley J. Berezna, Reg. No. 33,474; Michael A. Bernadicou, Reg. No. 35,934; Roger W. Blakely, Jr., Reg. No. 25,831; R. Alan Burnett, Reg. No. 46,149; Gregory D. Caldwell, Reg. No. 39,926; Andrew C. Chen, Reg. No. 43,544; Thomas M. Coester, Reg. No. 39,637; Donna Jo Coningsby, Reg. No. 41,684; Florin Corie, Reg. No. 46,244; Dennis M. deGuzman, Reg. No. 41,702; Stephen M. De Klerk, Reg. No. 46,503; Michael Anthony DeSanctis, Reg. No. 39,957; Daniel M. De Vos, Reg. No. 37,813; Robert Andrew Diehl, Reg. No. 40,992; Sanjeet Dutta, Reg. No. P46,145; Matthew C. Fagan, Reg. No. 37,542; Tarek N. Fahmi, Reg. No. 41,402; George Fountain, Reg. No. 37,374; Paramita Ghosh, Reg. No. 42,806; James Y. Go, Reg. No. 40,621; James A. Henry, Reg. No. 41,064; Libby N. Ho, Reg. No. P46,774; Willmore F. Holbrow III, Reg. No. P41,845; Sheryl Sue Holloway, Reg. No. 37,850; George W. Hoover II, Reg. No. 32,992; Eric S. Hyman, Reg. No. 30,139; William W. Kidd, Reg. No. 31,772; Sang Hui Kim, Reg. No. 40,450; Walter T. Kim, Reg. No. 42,731; Eric T. King, Reg. No. 44,188; Erica W. Kuo, Reg. No. 42,775; George Brian Leavell, Reg. No. 45,436; Kurt P. Leyendecker, Reg. No. 42,799; Gordon R. Lindeen III, Reg. No. 33,192; Jan Carol Little, Reg. No. 41,181; Joseph Lutz, Reg. No. 43,765; Michael J. Mallie, Reg. No. 36,591; Andre L. Marais, under 37 C.F.R. § 10.9(b); Paul A. Mendonsa, Reg. No. 42,879; Clive D. Menezes, Reg. No. 45,493; Chun M. Ng, Reg. No. 36,878; Thien T. Nguyen, Reg. No. 43,835; Thinh V. Nguyen, Reg. No. 42,034; Dennis A. Nicholls, Reg. No. 42,036; Daniel E. Ovanezian, Reg. No. 41,236; Kenneth B. Paley, Reg. No. 38,989; Marina Portnova, Reg. No. P45,750; William F. Ryann, Reg. 44,313; James H. Salter, Reg. No. 35,668; William W. Schaal, Reg. No. 39,018; James C. Scheller, Reg. No. 31,195; Jeffrey Sam Smith, Reg. No. 39,377; Maria McCormack Sobrino, Reg. No. 31,639; Stanley W. Sokoloff, Reg. No. 25,128; Judith A. Szepesi, Reg. No. 39,393; Vincent P. Tassinari, Reg. No. 42,179; Edwin H. Taylor, Reg. No. 25,129; John F. Travis, Reg. No. 43,203; Joseph A. Twarowski, Reg. No. 42,191; Tom Van Zandt, Reg. No. 43,219; Lester J. Vincent, Reg. No. 31,460; Glenn E. Von Tersch, Reg. No. 41,364; John Patrick Ward, Reg. No. 40,216; Mark L. Watson, Reg. No. P46,322; Thomas C. Webster, Reg. No. P46,154; Steven D. Yates, Reg. No. 42,242; and Norman Zafman, Reg. No. 26,250; my patent attorneys, and Firasat Ali, Reg. No. 45,715; and Justin M. Dillon, Reg. No. 42,486; my patent agents, of BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP, with offices located at 12400 Wilshire Boulevard, 7th Floor, Los Angeles, California 90025, telephone (310) 207-3800, and Umesh Desai, Reg. No. 36,360 and Craig Opperman, Reg. No. 37,078, of OpenTV, located at 401 E. Middlefield Road, Mountain View, California 94043, and James R. Thein, Reg. No. 31,710, my patent attorney with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

DECLARATION FOR REISSUE PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is described and for which a reissue patent is sought on the invention entitled

APPARATUS FOR TRANSMITTING AND RECEIVING EXECUTABLE APPLICATIONS
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filed September 27, 2000 as serial no. 09/672,523 ("the reissue application"), the specification of which is attached hereto and was issued on October 6, 1998 as U.S. Patent no. 5,819,034 ("the original patent") based on serial no. 08/233,908 ("the application"), filed on April 28, 1994.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above. I do not know and do not believe that the claimed invention was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to the effective filing date, that the same was not in public use or on sale in the United States of America more than one year prior to the effective filing date, and that the invention was has not been patented or made the subject of an inventor's certificate issued prior to the effective filing date in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (for a utility patent application) or six months (for a design patent application) prior to the effective filing date.

I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d), of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)**Priority Claimed**

Number	Country	Day/Month/Year Filed	Yes	No
Number	Country	Day/Month/Year Filed	Yes	No
Number	Country	Day/Month/Year Filed	Yes	No

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Full Name of Sole/First Inventor Kuriacose JOSEPH

Inventor's Signature _____ Date _____

Residence _____ (City, State) _____ Citizenship _____ (Country) _____

Post Office Address _____

Full Name of Second/Joint Inventor Ansley Wayne JESSUP, Jr.

Inventor's Signature _____ Date _____

Residence _____ (City, State) _____ Citizenship _____ (Country) _____

Post Office Address _____

Full Name of Third/Joint Inventor Vincent DUREAU

Inventor's Signature Mmm Date 4/26/98

Residence Palo Alto, California (City, State) _____ Citizenship France (Country) _____

Post Office Address 3519 S. Court
Palo Alto, CA 94306

Full Name of Fourth/Joint Inventor Alain DELPUCH

Inventor's Signature _____ Date _____

Residence _____ (City, State) _____ Citizenship _____ (Country) _____

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Dated: _____

By: _____

Umesh Desai

Associate General Counsel – Intellectual Property, OPENTV CORPORATION

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<u>Prior Foreign Application(s)</u>			<u>Priority Claimed</u>	
<u>Number</u>	<u>Country</u>	<u>Day/Month/Year Filed</u>	<u>Yes</u>	<u>No</u>
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telephone calls to André L. Marais, (408) 720-8300.
(Name of Attorney or Agent)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole/First Inventor Kuriacose JOSEPH

Inventor's Signature _____ Date _____

Residence _____ (City, State) _____ Citizenship _____ (Country)

Post Office Address _____

Full Name of Second/Joint Inventor Ansley Wayne JESSUP, Jr.

Inventor's Signature _____ Date _____

Residence _____ (City, State) _____ Citizenship _____ (Country)

Post Office Address _____

Full Name of Third/Joint Inventor Vincent DUREAU

Inventor's Signature _____ Date _____

Residence _____ (City, State) _____ Citizenship _____ (Country)

Post Office Address _____

Full Name of Fourth/Joint Inventor Alain DELPUCH

Inventor's Signature [Signature] Date Nov 13, 2000

Residence LES ESSARTS FRANCE (City, State) FRANCE Citizenship FRANCE (Country)

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78690 LES ESSARTS LEZARD FRANCE

Title 37, Code of Federal Regulations, Section 1.56
Duty to Disclose Information Material to Patentability

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
 - (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made or record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
- (1) Each inventor named in the application;
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

POWER OF ATTORNEY

OPENTV CORPORATION hereby appoints the persons listed on Appendix A hereto (which is incorporated by reference and a part of this document) as its respective patent attorneys and patent agents, with full power of substitution and revocation, to (1) prosecute and (2) transact all business in the Patent and Trademark Office connected with the reissue application serial no. 09/672,523, filed September 27, 2000 entitled:

APPARATUS FOR TRANSMITTING AND RECEIVING EXECUTABLE APPLICATIONS AS FOR A MULTIMEDIA SYSTEM, AND METHOD AND SYSTEM TO ORDER AN ITEM USING A DISTRIBUTED COMPUTING SYSTEM,

which is reissue of U.S. Patent no., 5,819,034, based on application serial no. 08/233,908 filed April 28, 1994.

Dated: _____

By: _____

Umesh Desai

Associate General Counsel – Intellectual Property, OPENTV CORPORATION

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APPENDIX A

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Appendix B

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Pending Claims as of 04.13.01

10. A method of facilitating ordering an item using a distributed computing system including at least one client and at least one server, the method comprising:

showing and/or describing an item to a user via the client;

enabling the user to order the item by a single interaction with the client;
and

in response to the single interaction with the client, causing an order for the item to be placed.

11. The method of claim 10, wherein the single interaction is one of the group including:

selecting of a single button; and

pressing of a single button on a TV remote control.

12. The method of claim 10, wherein causing the order to be placed is achieved by using:

information related to the item; and

user related personal information.

13. The method of claim 12, wherein the personal information includes at least one of the group including a user's name, address, method of payment and payment account number.

14. The method of claim 12, wherein the personal information is stored in memory in the client.

15. The method of claim 10, wherein the distributed computing system is an interactive television system and wherein the showing and/or describing of the item is, at least in part, by television signal.

16. The method of claim 10, wherein the client includes an auxiliary data processor and a client computer.

17. The method of claim 12, wherein the client is associated with at least a set top box, and wherein the personal information is stored at the set top box.

18. The method of claim 17, wherein the set top box is in communication with a local computer and associated storage and wherein the method further comprises:

the client retrieving information from one or more of the local computer and the associated storage.

19. The method of claim 18, wherein the method further comprises:

controlling the client by means of the local computer.

20. The method of claim 18, wherein the local computer is part of a local area network.

21. The method of claim 10, wherein the system further includes a central processing facility in communication with the server and wherein the method comprises:

sending information used in processing the order from the client to the central processing facility.

22. The method of claim 10, further comprising:

sending an order confirmation to the user to confirm the order.

23. The method of claim 21, further comprising:

communicating information between the client and the server via the central processing facility.

24. The method of claim 23, wherein a telephone system acts as the central processing facility.
25. The method of claim 10 including receiving at the client data including:
- (a) information to show and/or describe the item via the client; and
 - (b) information to enable the user to order the item by the single interaction with the client.
26. The method of claim 25 wherein the data further includes an item identifier to identify the item.
27. The method of claim 26 wherein the item identifier includes any one of a group of identifiers including a code and a command.
28. A method of facilitating ordering an item, the method comprising:
- providing a client with information to show and/or describe an item to a user; and
- enabling the user to order the item by a single interaction with a client.

29. The method of claim 28, wherein the single interaction comprises any one of the group including:

selecting of a single button; and

pressing of a single button on a TV remote control.

30. The method of claim 28, including receiving the order from the client, the order including:

information related to the item; and

user related personal information.

31. The method of claim 30, wherein the personal information comprises any one of the group including a user's name, address, method of payment and payment account number.

32. The method of claim 30, including retrieving the personal information from a memory associated with the client.

33. The method of claim 28, including providing the information in the form of a television signal.

34. The method of claim 28 including communicating with a central processing facility and wherein the client sends the order to the central processing facility for receipt via a transceiver.

35. The method of claim 34 wherein a telephone system acts as the central processing facility.

36. The method of claim 28 including providing an order confirmation to the client to confirm the order.

37. The method of claim 248 including multiplexing the provision of the information and the code to the client to thereby generate data for transmission to the client.

38. A computer system to order an item, the system comprising:

a data processing system to show and/or describe an item to a user; and

a client to enable the user to order the item by a single interaction with the client and, in response to the single interaction, to cause an order for the item to be placed.

39. The system of claim 38, wherein the single interaction comprises any one of the group including:

selecting of a single button; and

pressing of a single button on a TV remote control.

40. The system of claim 38, wherein the client is to place the order using:

information related to the item; and

user related personal information.

41. The system of claim 40, wherein the personal information comprises any one of the group including a user's name, address, method of payment and payment account number.

42. The system of claim 40, wherein the personal information is stored in memory of the client.

43. The system of claim 38, wherein the distributed computing system is an interactive television system and wherein the showing and/or describing of the item by the data processing system is, at least in part, performed utilizing a television signal.

45. The system of claim 38, wherein the client is associated with at least a set top box, and wherein the personal information is stored at the set top box.

46. The system of claim 45, wherein the set top box is in communication with a local computer and associated storage and wherein the client is to retrieve information from one or more of the local computer and the associated storage.

47. The system of claim 46, wherein the local computer controls the client.

48. The system of claim 46, wherein the local computer is part of a local area network.

49. The system of claim 38, including a central processing facility in communication with a server and wherein the client sends information used in processing to the central processing facility.

50. The system of claim 49 wherein the server is to send an order confirmation to the user to confirm the order.

51. The system of claim 49, wherein the central processing facility is to communicate information between the client and the server.

52. The system of claim 51 wherein a telephone system acts as the central processing facility.

53. The system of claim 38 including a data receiver to receive data including:

information to show and/or describe the item via the client; and

information to enable the user to order the item by a single interaction with the client.

54. The system of claim 53 wherein the receiver includes an auxiliary data extractor to extract the information to show and/or describe from the data and a packet data extractor to extract the information to enable from the data.

55. The system of claim 54 wherein the auxiliary data extractor provides the information to show and/or describe to the data processing system and the packet data extractor provides the information to enable to the client.

56. The system of claim 53 wherein the data further includes an item identifier to identify the item.

57. The system of claim 56 wherein the item identifier includes any one a group of identifiers including a code and a command.

58. A computer system to facilitate ordering an item, the system comprising:

a data source to provide a client with information to show and/or describe an item to a user; and

an information source to provide a client with information to enable the user to order the item by a single interaction with a client.

59. The system of claim 58, wherein the single interaction comprises any one of the group including:

a selecting of a single button; and

a pressing of a single button on a TV remote control.

60. The system of claim 58, including a data receiver to receive the order from the client, the order including:

information related to the item; and

user related personal information.

61. The system of claim 60, wherein the personal information comprises any one of the group including a user's name, address, method of payment and payment account number.

62. The system of claim, wherein the code is to retrieve the personal information from a memory associated with the client.

63. The system of claim 58, wherein the data source is to provide the information in the form of a television signal.

64. The system of claim 58 including a data transceiver to communicate with a central processing facility and wherein the client sends the order to the central processing facility for receipt via the data transceiver.

65. The system of claim 64 wherein a telephone system acts as the central processing facility.

66. The system of claim 58 wherein the data source is to provide an order confirmation to the client to confirm the order.

67. The system of claim 58 including a multiplexer to multiplex the provision of the information to show and/or describe and the information to enable to the client to thereby generate data for transmission to the client.

246. The method of claim 25 wherein the information to enable includes code executable by the client to enable the user to order the item by the single interaction with the client.

247. The method of claim 25 wherein the information to enable includes data to be processed by code executable by the client to enable the user to order the item by the single interaction with the client.

248. The method of claim 28 wherein the enabling includes providing code to enable the user to order the item.

249. The method of claim 28 wherein the enabling includes providing data to be processed by code to enable the user to order the item.

250. The system of claim 53 wherein the information to enable includes code to enable the user to order the item.

251. The system of claim 53 wherein the information to enable includes data to be processed by code to enable the user to order the item.

252. The system of claim 58 wherein the information to enable includes code to be executed by the client to enable the user to order the item.

253. The system of claim 58 wherein the information to enable includes data to be processed by code to enable the user to order the item.

260. A machine-readable medium embodying a sequence of instructions that, when executed by a machine, cause the machine to facilitating ordering an item within a distributed computing system including at least one client and at least one server by:

showing and/or describing an item to a user via the client;

enabling the user to order the item by a single interaction with the client;
and

in response to the single interaction with the client, causing an order for the item to be placed.

261. The machine-readable medium of claim 260, wherein the medium comprises a data stream.

262. The machine-readable medium of claim 260, wherein the medium comprises a mass storage device.

263. A machine-readable medium embodying a sequence of instructions that, when executed by a machine, cause the machine to facilitating ordering an item by:

providing a client with information to show and/or describe an item to a user; and

enabling the user to order the item by a single interaction with a client.

278. A method of facilitating ordering using a distributed computing system including at least one client and at least one server, the method comprising:

showing and/or describing an offering to a user via the client;

enabling the user to order the offering by a single interaction with the client; and

in response to the single interaction with the client causing an order related to the offering to be placed.

279. A method comprising:

providing a client with information to show and/or describe an offering to a user; and

enabling the user to order the offering by a single interaction with a client.

280. A computer system comprising:

a data processing system to show and/or describe an offering to a user; and

a client to enable the user to order the item by a single interaction with the client and, in response to the single interaction, to cause an order for the offering to be placed.

281. A computer system comprising:

a data source to provide a client with information to show and/or describe an offering to a user; and

an information source to provide a client with information to enable the user to order the offering by a single interaction with a client.



CAU 2166

Attorney's Docket No.: 5214.P001R

**COPY OF PAPERS
ORIGINALLY FILED**

Patent

In re the Application of: Kuriacose JOSEPH, et al.
(inventor(s))

Application No.: 09/672,523

Filed: September 27, 2000

For: A METHOD AND SYSTEM TO FACILITATE ORDERING OF AN ITEM MAY 02 2002

(title)

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ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

SIR: Transmitted herewith is an Amendment for the above application.

 Small entity status of this application under 37 C.F.R. §§ 1.9 and 1.27 has been established by a verified statement previously submitted.
 A verified statement to establish small entity status under 37 C.F.R. §§ 1.9 and 1.27 is enclosed.
 X No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)
	Claims Remaining After Amd.		Highest No. Previously Paid For	Present Extra
Total Claims	*73	Minus	**335	0
Indep. Claims	*10	Minus	***48	0
<div> <div></div> First Presentation of Multiple Dependent Claim(s) </div>				

SMALL ENTITY	
Rate	Additional Fee
X9	\$
X42	\$
+140	\$
Total Add. Fee	\$

OTHER THAN A SMALL ENTITY	
Rate	Additional Fee
X18	\$ 0
X84	\$ 0
+280	\$
Total Add. Fee	\$ 0

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
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- The "Highest No. Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

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Date of Deposit

Leslie Rogan
Name of Person Mailing Correspondence
Leslie R. Rogan 4.15.02
Signature Date

_____ A check in the amount of \$ _____ is attached for presentation of additional claim(s).
_____ Applicant(s) hereby Petition(s) for an Extension of Time of _____ month(s) pursuant to
37 C.F.R. § 1.136(a).

_____ A check for \$ _____ is attached for processing fees under 37 C.F.R. § 1.17.

_____ Please charge my Deposit Account No. 02-2666 the amount of \$ _____.

X _____ **A duplicate copy of this sheet is enclosed.**

The Commissioner of Patents and Trademarks is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 02-2666 (a duplicate copy of this sheet is enclosed):

X _____ Any additional filing fees required under 37 C.F.R. § 1.16 for presentation of extra claims.

X _____ Any extension or petition fees under 37 C.F.R. § 1.17.

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

André L. Marais

Reg. No. 48,095

Date: 04/15/02

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PTO/SB/54 (12-97)

**REISSUE APPLICATION BY THE ASSIGNEE,
OFFER TO SURRENDER PATENT**

Docket Number (Optional)

005214.P001R

This is part of the application for a reissue patent based on the original patent identified below.

Name of Patentee(s):

Kuriacose Joseph, et al.

Patent Number

5,819,034

Date Patent Issued

October 6, 1998

Title of Invention Apparatus for Transmitting and Receiving Executable Applications
as for a Multimedia System, and Method and System to Order an
Item Using a Distributed Computing System

OpenTV, Inc. is the assignee of the entire interest in the original patent.

I offer to surrender the original patent.

☒ A certificate under 37 CFR 3.73(b) is attached.

I am authorized to act on behalf of the assignee.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application, any patent issued thereon, or any patent to which this declaration is directed.

Name of assignee

OpenTV, Inc.

Signature of person signing for assignee

Date

10/16/2001

Typed or printed name and title of person signing for assignee

Umesh Desai, Associate General Counsel - IP



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005214.P001R

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of:

Kuriacose JOSEPH, et al.

Examiner: Kalinowski, A.

Serial No.: 09/672,523

Art Unit: 2761

Filing Date: September 27, 2000

For: APPARATUS FOR TRANSMITTING
AND RECEIVING EXECUTABLE
APPLICATIONS AS FOR A
MULTIMEDIA SYSTEM, AND
METHOD AND SYSTEM TO ORDER
AN ITEM USING A DISTRIBUTED
COMPUTING SYSTEM

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GROUP 3600

Assistant Commissioner for Patents
Washington, D.C. 20231

CONSENT OF ASSIGNEE TO REISSUE

Sir:

OpenTV, Inc., assignee of U.S. patent no. 5,819,034, consents to the filing of the
reissue application no. 90/672,523 for the reissue of U.S. Patent no. 5,819,034.

Date: November 28, 2001

By:

Umesh Desai
Associate General Counsel - IP
OpenTV, Inc.



005214.P001R

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COPY OF PAPERS
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In re Reissue Application of:

Kuriacose JOSEPH, et al.

Examiner: Kalinowski, A.

Serial No.: 09/672,523

Art Unit: 2761

Filing Date: September 27, 2000

For: APPARATUS FOR TRANSMITTING
AND RECEIVING EXECUTABLE
APPLICATIONS AS FOR A
MULTIMEDIA SYSTEM, AND
METHOD AND SYSTEM TO ORDER
AN ITEM USING A DISTRIBUTED
COMPUTING SYSTEM

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CERTIFICATION UNDER 37 C.F.R. 3.73

Sir:

OPENTV, INC. certifies that it has ownership of U.S. Patent no. 5,819,034, issued October 6, 1998 by way of an assignment to OPENTV, Inc. (Assignee) from THOMSON CONSUMER ELECTRONICS, INC. (Assignor), recorded September 27, 1999 at reel 010263, frame 0580, by way of an assignment from the inventors (Kuriacose Joseph, Ainsley Wayne Jessup, Jr., Vincent Dureau and Alain Delpuch (Assignors) to THOMSON CONSUMER ELECTRONICS, INC. (Assignee), recorded April 28, 1994 at reel 6978 and frame 0789.

OPENTV, INC.

Date: Dec. 11, 2001

By: [Signature]

Umesh Desai
Associate General Counsel - IP
OpenTV, Inc.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/672,523	09/27/2000	Kuriacose Joseph	005214.P002R	2175

7590

07/23/2002

Andre L Marais
Blakely Sokoloff Taylor & Zafman LLP
12400 Wilshire Boulevard Seventh Floor
Los Angeles, CA 90025-1026

EXAMINER

KALINOWSKI, ALEXANDER G

ART UNIT

PAPER NUMBER

3626

DATE MAILED: 07/23/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

09672523-042902



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20503

Paper No.

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment filed on 4/29/02 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on September 8, 2000 (see 65 Fed. Reg. 54603, Sept. 8, 2000, and Sept. 19, 2000). In order for the amendment to be compliant, applicant must supply the following omissions in response to this notice.

THE FOLLOWING ITEMS ARE REQUIRED FOR COMPLIANCE WITH RULE 1.121 (APPLICANT NEED NOT SUBMIT THE ENTIRE AMENDMENT):

- ☐ 1. A clean version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(ii).
- ☒ 2. A marked-up version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(i).
- ☐ 3. A clean version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(i).
- ☐ 4. A marked-up version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(ii).

Explanation:

(LIE: Please provide specific details for correction to assist the applicant. For example, "the clean version of claim 6 is missing.")

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO web site at <http://www.uspto.gov/web/offices/dcom/olia/pbg/sampleaf.pdf>. A condensed version of a sample amendment format is attached.

- ☐ **PRELIMINARY AMENDMENT:** Unless applicant supplies the omission of correction to the amendment in compliance with revised 37 CFR 1.121 noted above within ONE MONTH of the mail date letter, examination on the merits may commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.
- ☒ **AMENDMENT AFTER NON-FINAL ACTION:** Since the above-mentioned reply appears to be an amendment, applicant is given a TIME PERIOD of ONE MONTH or THIRTY DAYS from the mailing of this notice, longer, within which to supply the omission or correction noted above in order to avoid an extension of this time period. **EXTENSION OF TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

D. G.
Legal Instruments Examiner (LIE)

Attorney's Docket No. 005214.P001R

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kuriacose JOSEPH, et al.

Examiner: Kalinowski, A.

Application No.: 09/672,523

Art Group: 2761

Filed: September 27, 2000

For: APPARATUS FOR TRANSMITTING
AND RECEIVING EXECUTABLE
APPLICATIONS AS FOR A
MULTIMEDIA SYSTEM, AND
SYSTEM TO ORDER AN ITEM
USING A DISTRIBUTED
COMPUTING SYSTEM

I hereby certify that this correspondence is being
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Office on April 13, 2001.

Lindy Vajretti
(Name of person transmitting paper)

Lindy Vajretti
(Signature of person transmitting paper)

Assistant Commissioner of Patents
Washington, DC 20231-9998

PRELIMINARY AMENDMENT

Sir:

Prior to examination of the present reissue application, Applicants respectfully
request the Examiner to enter the following amendments and to consider the following
remarks.

IN THE CLAIMS

Please cancel claims 1-9, 68-245, 254-259, 264-277 and 282-357, without prejudice.

REMARKS

The above amendments to the claims are being made with a view to (1) removing the canceled claims from the present application for inclusion within a number of divisional reissue applications that the Applicants intend to file based on the present reissue application and (2) correcting a number of minor typographical errors in the remaining claims. The Applicants specifically reserve the right to file such further divisional applications to include the claims that have been canceled.

It should furthermore be noted that the cancellation of the above-identified claims has not been made to overcome any prior art, or for any substantial reason related to the patentability of the inventions that are the subjects of such claims.

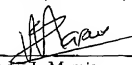
Following the above amendment, claims 10-67, 246-253, 260-263, and 278-281 remain for consideration in the present reissue application. The canceled claims will be included in further divisional reissue applications, to be based on the present reissue application.

If the Examiner has any questions or comments, the Applicants respectfully request the Examiner contact the undersigned representative attorney at (408) 947-8200. Please charge any shortages or credit any overcharges to Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 04/13/ 2001



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Attorney's Docket No. 5214P001R

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kuriacose JOSEPH, et. al.

Application No.: 09/672,523

Filed: September 27, 2000

For: A METHOD AND SYSTEM TO
FACILITATE ORDERING OF AN
ITEM (As Amended)

Examiner: Kalinowski, Alexander G.

Art Group: 2166

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

on August 23, 2002

Date of Deposit

Monique M. Pearson

Name of Person Mailing Correspondence

Signature

Date

Assistant Commissioner of Patents
Washington, DC 20231-9998

RESPONSE TO THE NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121)

Sir:

In response to the Notice of Non-Compliant Amendment mailed July 23, 2002, Applicants below set forth a marked-up version of the replacement paragraphs, as amended in the previously filed amendment.

MARKED UP VERSION OF THE SPECIFICATION

In the Specification:

Beginning at column 1, line 1 the title has been amended and text has been added as follows:

APPARATUS FOR TRANSMITTING AND
RECEIVING EXECUTABLE APPLICATIONS

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SEP 10 2002
GROUP 3600

AS FOR A MULTIMEDIA SYSTEM

-- A METHOD AND SYSTEM TO FACILITATE ORDERING OF AN ITEM

CROSS-REFERENCE TO RELATED APPLICATIONS

The present application is related to co-pending divisional reissue applications serial nos. 09/903,457; 09/903,091; 09/903,448; and 09/903,458. The present application is a reissue application of US patent no. 5,819,034.

BACKGROUND OF THE INVENTION

(1) Field of the Invention - -

Before column 1, line 8, the following heading has been added:

- - (2) Description of the Related Art - -

Starting at column 3, line 1, the following amendments have been made:

- - BRIEF SUMMARY OF THE INVENTION

According to one aspect of the present invention, there is provided a method of facilitating ordering of an item using a distributed computing system including at least one client and at least one server. An item is shown, described, or both, to a user via the client. The user is enabled to order the item by a single interaction with the client. In response to the single interaction with the client, an order for the item is caused to be placed.

According to a second aspect of the present invention there is provided a method of facilitating ordering of an item that includes providing a client with information to show, describe, or both, an item to a user. The user is enabled to order the item by a single interaction with the client.

According to a third aspect of the present invention, there is provided a computer system to order an item. The system includes a data processing system to show, describe, or to both show and describe, an item to a user. The client enables the user to order the item by a single interaction with the client and, in response to the single interaction, causes an order for the item to be placed.

According to a further aspect of the present invention, there is provided a computer system to facilitate ordering of an item. The system includes a data source to provide a client with information to show, describe, or to both show and describe, an item to a user. The information source also provides the client with information to enable the user to order the item by a single interaction with the client.

According to further aspects of the present invention, there are also provided machine-readable medium embodying sequences of instructions that, when executed by a machine, cause the machine to facilitate ordering of an item according to any one of the above methods.

According to a further aspect of the present invention, there is provided a method of facilitating ordering using a distributing computer system including at least one client and at least one server. The method includes showing, describing, or both, an offering to a user via the client. The user is enabled to order the offering by a single interaction with the client. In response to the single interaction with the client, an order relating to the offering is caused to be placed.

According to a further aspect of the present invention there is provided a method including providing a client with information to show, describe, or to both show and describe, an offering to a user. The user is enabled to order the offering by a single interaction with the client.

According to a further aspect of the present invention, there is provided a computer system that includes a data processing system to show, describe, or both, an offering to a user.

The computer system further includes a client to enable the user to order the item by a single interaction with the client and, in response to the single interaction, to cause an order for the offering to be placed.

According to a further aspect of the present invention there is provided a computer system that includes a data source to provide a client with information to show, describe, or both, an offering to a user. The computer system further includes an information source to provide a client with information to enable the user to order the offering by a single interaction with the client. - -

The inventors propose a distributed computing system in which a server computer continuously produces a data stream. This data stream acts as a mass storage device for the client computers receiving it. This data stream repetitively includes data representing a distributed computing application in which the client computer may participate, including executable code and data. A transport mechanism, including a high speed, one-way, communication path, carries the data stream from the server to the client. The client receives the data stream, extracts the distributed computing representative data and executes the distributed computing application.

In accordance with principles of the present invention, a distributed computer system comprises a source of a continuous data stream repetitively including data representing a distributed computing application and a client computer, receiving the data stream, for extracting the distributed computing application representative data from the data stream, and executing the extracted distributed computing application.

In a distributed computing system according to the invention, the client computer system need not include all the resources, in particular, main memory and mass storage, necessary to perform the entire program. Instead, no mass storage is required because the data stream provides the function of the mass storage device, and the main memory requirement is modest

because only the currently executing portion of the program need be stored in memory. When the currently executing portion has completed, its memory space is freed up, and the next executing portion is extracted from the data stream, stored in the freed memory space, and that portion begins execution.

In addition, a distributed computing system according to the present invention allows the user of the client computer to have the option participating in the distributed computing task. If it is desired to participate, the client computer extracts the data representing the distributed computing application, as described above. If it is desired not to participate, the data stream is merely ignored, and the processing desired by the user, or none at all, is performed. Such a distributed computing system also allows each participating client computer to join the distributed computing function at any time and to proceed at its own pace in performing its own computing function.

A distributed computing system according to the present invention is particularly amenable to interactive TV applications because it allows a viewer to tune into an interactive TV channel at any time, join in the interactivity whenever desired (or not at all), and allows all the viewers to proceed at their different paces. This is especially advantageous in an environment when an interactive commercial, with its own executable code and data, may be presented within an interactive program, or when the viewer wishes to change channels.

Column 3, line 55 has been amended as follows:

- - BRIEF DESCRIPTION OF THE DRAWINGS - - In the drawing:

Before column 3, line 65, the following heading has been added:

- - DETAILED DESCRIPTION - -

Column 4, line 35 has been amended as follows:

- - CLAIMS - - ~~what is claimed is:~~

The paragraph beginning at line 18, column 4 has been amended as follows:

-- Client computers 24 and 26 also interact with their users, (not shown in order to simplify the drawing). In addition, client computers 24 and 26 are bidirectionally coupled to the central processing facility 60. Such links are optional, however. The only requirements for any client computer 20 are is a way to interact with a user, and a connection to the transport mechanism 30. Links to local computers, auxiliary data processing systems, and the central processing facility 60 are all optional, and need not be present in every one of the client computers 20. --

The paragraph beginning at line 66, column 7 has been amended as follows:

-- For example, the distributed computing system illustrated in may be part of a widespread corporate computing system, and the server 10 may be located at a central location of that corporation. The client computer 22 may be located at a remote location, and the local computer 40 may be coupled to the personal computer network at that location. Workers at that location may store shared data (e.g. financial information) on the server connected to that network. The distributed computing function may include gathering local financial data from the client computers at the remote locations, processing that financial data and returning overall financial results to the client computers. In such an application, the executable code executing on the client computer 22 accesses the data from the local computer 40 (either from its attached

mass storage 70 or through the network) through the I/O port, and sends it to the server computer 10 through the central processing facility 60. The server computer 10 continues its processing based on the information received from client computer 22 (and other client computers 20), and returns the results of that processing to the client computers 20 either through the central processing facility 60 or via the data stream on the transport mechanism 30. --

The paragraph beginning at line 26, column 14 has been amended as follows:

-- A client computer 22 in a distributed computing system as illustrated in FIG. 1 does not need a mass storage device, or ~~nor~~ a large amount of RAM 212. Such a system decreases the cost of a client computer, and increases the functionality of the lower cost client computers. In addition, such a client computer has the option of participating in a distributed computing function, may join in the distributed computing function at any time (or may drop out and return later), and may participate at its own pace. --

IN THE ABSTRACT

The abstract has been amended as follows:

- - A method to facilitate ordering of an item utilizing a distributed computing system, which includes at least one client and at least one server, includes showing, describing, or both, an item to a user via the client. The user is enabled to order the item by a single interaction with the client. In response to the single interaction with the client, an order for the item is caused to be placed. - -


~~A distributed computer system, as for transmitting and receiving executable multimedia applications, includes a source of a continuous data stream repetitively transferring data representing a distributed computing application and a client computer, receiving the data stream,~~

~~for extracting the distributed computing application representative data from the data stream, and
executing the extracted distributed computing application.~~

If there are any additional charges, please charge Deposit Account No. 02-2666.
If a telephone interview would in any way expedite the prosecution of the present
application, the Examiner is invited to contact André Marais at (408) 947-8200.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 08/23/ 2002



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Attorney's Docket No. 5214P001R

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kuriacose JOSEPH, et al.

Application No.: 09/672,523

Filed: September 27, 2000

For: A METHOD AND SYSTEM TO
FACILITATE ORDERING OF AN ITEM
(As Amended)

Examiner: Kalinowski, Alexander G.

Art Group: 3626

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on February 20, 2003
Date of Deposit

Leslie Rogan
Name of Person Mailing Correspondence

Leslie D. Rogan
Signature

2/20/03
Date

Assistant Commissioner for Patents
Washington, D.C. 20231

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GROUP 3600

PRELIMINARY AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION

Sir:

In response to the Final Office Action mailed November 20, 2002,
Applicants respectfully request the Examiner to enter the following amendments
and to consider the following remarks.

IN THE CLAIMS:

Please amend the claims as follows:

CLEAN VERSION OF CLAIMS

Please cancel claims 12, 30, 40, 60, and 278-281, without prejudice.

10. (Amended) A method of facilitating ordering an item using a distributed computing system including at least one client and at least one server, the method including:

at least one of showing and describing an item to a user via the client;
enabling the user to order the item by a single action with respect to the client, the single action being in connection with the order; and
in response to the single action with respect to the client, causing an order for the item to be placed,

wherein the enabling of the user to order the item by the single action includes using (1) previously stored, user related personal information that is stored in a memory associated with the client for repeated use in enabling further orders for further items to be placed and so that it is not necessary to solicit the user related, personal information each time a further order is placed and (2) previously received information related to the item being offered for sale at the time of the single action.

11. (Amended) The method of claim 10, wherein the single action is one of a group including:

selecting of a single button; and
pressing of a single button on a TV remote control.

13. (Amended) The method of claim 10, wherein the user related, personal information includes at least one of a group including a user's name, address, method of payment and payment account number.

14. (Amended) The method of claim 10, wherein the user related, personal information is stored in memory in the client.

15. (Unamended) The method of claim 10, wherein the distributed computing system is an interactive television system and wherein the at least one of showing and describing of the item is, at least in part, by a television signal.

16. (Unamended) The method of claim 10, wherein the client includes an auxiliary data processor and a client computer.

17. (Amended) The method of claim 12, wherein the client is associated with at least a set top box, and wherein the user related, personal information is stored at the set top box.

18. (Unamended) The method of claim 17, wherein the set top box is in communication with a local computer and associated storage and wherein the method further includes:

the client retrieving information from one or more of the local computer and the associated storage.

19. (Unamended) The method of claim 18, wherein the method further includes:

controlling the client by means of the local computer.

20. (Unamended) The method of claim 18, wherein the local computer is part of a local area network.

21. (Unamended) The method of claim 10, wherein the system further includes a central processing facility in communication with the server and wherein the method includes:

 sending information used in processing the order from the client to the central processing facility.

22. (Unamended) The method of claim 10, further including:

 sending an order confirmation to the user to confirm the order.

23. (Unamended) The method of claim 21, further including:

 communicating information between the client and the server via the central processing facility.

24. (Unamended) The method of claim 23, wherein a telephone system acts as the central processing facility.

25. (Amended) The method of claim 10 including receiving at the client data including:

- (a) information to at least one of show and describe the item via the client; and
- (b) information to enable the user to order the item by the single action with respect to the client.

26. (Unamended) The method of claim 25 wherein the data further includes an item identifier to identify the item.

27. (Unamended) The method of claim 26 wherein the item identifier includes at least one of a group of identifiers including a code and a command.

28. (Amended) A method of facilitating ordering an item, the method including:

providing a client with information to at least one of show and describe an item to a user; and

enabling the user to order the item by a single action with respect to the client, the single action being in connection with the order,

wherein the enabling of the user to order the item by the single action includes using (1) previously stored, user related, personal information that is stored in a memory for repeated use in enabling further orders for further items to be placed and so that it is not necessary to solicit the user related, personal information each time a further order is placed, and (2) previously provided item information related to the item that is being offered for sale at the time of the single action.

29. (Amended) The method of claim 28, wherein the single action includes a least one of a group including:

selecting of a single button; and

pressing of a single button on a TV remote control.

31. (Amended) The method of claim 28, wherein the user related, personal information includes at least one of a group including a user's name, address, method of payment and payment account number.

32. (Amended) The method of claim 28, including retrieving the user related, personal information from a memory associated with the client.

33. (Amended) The method of claim 28, including providing the information to at least one of show and describe the item in the form of a television signal.

34. (Unamended) The method of claim 28 including communicating with a central processing facility and wherein the client sends the order to the central processing facility for receipt via a transceiver.

35. (Unamended) The method of claim 34 wherein a telephone system acts as the central processing facility.

36. (Unamended) The method of claim 28 including providing an order confirmation to the client to confirm the order.

37. (Amended) The method of claim 28 including multiplexing the provision of the information to at least one of show and describe the item and code to the client to thereby generate data for transmission to the client.

38. (Amended) A computer system to order an item, the system including:
a data processing system to at least one of show and describe an item to a user; and
a client to enable the user to order the item by a single action with respect to the client and, in response to the single action, to cause an order for the item to be placed,

wherein the client is to enable the user to order the item by the single action using (1) previously stored, user related, personal information that is stored in a memory for repeated use in enabling further orders for further items to be placed and so that it is not necessary to solicit the user related, personal information each time a further order is placed and (2) previously received information related to the item that is being offered for sale at the time of the single action.

39. (Amended) The system of claim 38, wherein the single action includes at least one of a group including:

selecting of a single button; and
pressing of a single button on a TV remote control.

41. (Amended) The system of claim 38, wherein the user related, personal information includes at least one of a group including a user's name, address, method of payment and payment account number.

42. (Amended) The system of claim 38, wherein the user related, personal information is stored in memory of the client.

43. (Amended) The system of claim 38, wherein the computer system is an interactive television system and wherein the at least one of showing and describing of the item by the data processing system is, at least in part, performed utilizing a television signal.

45. (Amended) The system of claim 38, wherein the client is associated with at least a set top box, and wherein the user related, personal information is stored at the set top box.

46. (Unamended) The system of claim 45, wherein the set top box is in communication with a local computer and associated storage and wherein the client is to retrieve information from one or more of the local computer and the associated storage.

47. (Unamended) The system of claim 46, wherein the local computer controls the client.

48. (Unamended) The system of claim 46, wherein the local computer is part of a local area network.

49. (Unamended) The system of claim 38, including a central processing facility in communication with a server and wherein the client sends information used in processing to the central processing facility.

50. (Unamended) The system of claim 49 wherein the server is to send an order confirmation to the user to confirm the order.

51. (Unamended) The system of claim 49, wherein the central processing facility is to communicate information between the client and the server.

52. (Unamended) The system of claim 51 wherein a telephone system acts as the central processing facility.

53. (Amended) The system of claim 38 including a data receiver to receive data including:

information to at least one of show and describe the item via the client;
and

information to enable the user to order the item by the single action with respect to the client.

54. (Amended) The system of claim 53 wherein the data receiver includes an auxiliary data extractor to extract the information to at least one of show and describe from the data and a packet data extractor to extract the information to enable from the data.

55. (Unamended) The system of claim 54 wherein the auxiliary data extractor provides the information to at least one of show and describe to the data processing system and the packet data extractor provides the information to enable to the client.

56. (Unamended) The system of claim 53 wherein the data further includes an item identifier to identify the item.

57. (Unamended) The system of claim 56 wherein the item identifier includes at least one a group of identifiers including a code and a command.

58. (Amended) A computer system to facilitate ordering an item, the system including:

a data source to provide a client with first information to at least one of show and describe an item to a user; and

an information source to provide the client with second information to enable the user to order the item by a single action with respect to the client,

wherein the client is to enable the user to order the item by the single action using (1) previously stored, user related, personal information that is stored in a memory for repeated use in enabling further orders for further items to be placed and so that it is not necessary to solicit the user related, personal information each time a further order is placed and (2) previously received information related to the item that is being offered for sale at the time of the single action.

59. (Amended) The system of claim 58, wherein the single action includes at least one of a group including:

a selecting of a single button; and

a pressing of a single button on a TV remote control.

61. (Amended) The system of claim 58, wherein the user related, personal information includes at least one of a group including a user's name, address, method of payment and payment account number.

62. (Amended) The system of claim 58, wherein the second information includes code executable by the client to retrieve the user related, personal information from a memory associated with the client.

63. (Unamended) The system of claim 58, wherein the data source is to provide the information in the form of a television signal.

64. (Unamended) The system of claim 58 including a data transceiver to communicate with a central processing facility and wherein the client sends the order to the central processing facility for receipt via the data transceiver.

65. (Unamended) The system of claim 64 wherein a telephone system acts as the central processing facility.

66. (Unamended) The system of claim 58 wherein the data source is to provide an order confirmation to the client to confirm the order.

67. (Amended) The system of claim 58 including a multiplexer to multiplex the provision of the first information to at least one of show and describe and the second information to enable the client to thereby generate data for transmission to the client.

246. (Amended) The method of claim 25 wherein the information to enable includes code executable by the client to enable the user to order the item by the single action with the client.

247. (Amended) The method of claim 25 wherein the information to enable includes data to be processed by code executable by the client to enable the user to order the item by the single action with the client.

248. (Unamended) The method of claim 28 wherein the enabling includes providing code to enable the user to order the item.

249. (Unamended) The method of claim 28 wherein the enabling includes providing data to be processed by code to enable the user to order the item.

250. (Unamended) The system of claim 53 wherein the information to enable includes code to enable the user to order the item.

251. (Unamended) The system of claim 53 wherein the information to enable includes data to be processed by code to enable the user to order the item.

252. (Amended) The system of claim 58 wherein the second information to enable includes code to be executed by the client to enable the user to order the item.

253. (Unamended) The system of claim 58 wherein the information to enable includes data to be processed by code to enable the user to order the item.

260. (Amended) A machine-readable medium embodying a sequence of instructions that, when executed by a machine, cause the machine to facilitate ordering an item within a distributed computing system including at least one client and at least one server by:

at least one of showing and describing an item to a user via the client;
enabling the user to order the item by a single action with respect to the client the single action being in connection with the order,

in response to the single action with respect to the client, causing an order for the item to be placed,

wherein the enabling of the user to order the item by the single action includes using (1) previously stored, user related, personal information that is stored in a memory associated with the client for repeated use in enabling further orders for further items to be placed and so that it is not necessary to solicit the user related, personal information each time a further order is placed and (2) previously received information related to the item that is being offered for sale at the time of the single action.

261. (Unamended) The machine-readable medium of claim 260, wherein the medium includes a data stream.

262. (Unamended) The machine-readable medium of claim 260, wherein the medium includes a mass storage device.

263. (Amended) A machine-readable medium embodying a sequence of instructions that, when executed by a machine, cause the machine to facilitate ordering an item by:

providing a client with information to at least one of show and describe an item to a user; and

enabling the user to order the item by a single [interaction] action with respect to the client, the single action being in connection with the order,

wherein the enabling of the user to order the item by the single action includes using (1) previously stored, user related, personal information that is stored in a memory for repeated use in enabling further orders for further items to be placed and so that it is not necessary to solicit the user related, personal

information each time a further order is placed, and (2) previously provided item information related to the item that is being offered for sale at the time of the single action.

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REMARKS

In response to the above-identified Final Office Action, the Applicants have amended their application and respectfully request reconsideration thereof. Specifically, the independent claims have been amended to include limitations corresponding partially to limitations in canceled dependent claims. The amendments do not introduce any new matter, and written description to support these limitations can be found in the below quoted text and other portions of the specification for the present application.

It is also possible that permanent information about the viewer (i.e. the name, address, method of payment and credit card number) may be preentered once by the viewer, so it is not necessary to solicit that information each time an order is placed. The information is stored in permanent memory in the client computer. In such a case, when an order is placed, that information is retrieved from the permanent memory, appended to the item number and transmitted to the central computer. It is further possible that, by means of time codes, or other commands, inserted into the data stream, the client computer will know which item is currently being offered for sale. In such a case, the viewer will be able to order it by simply pressing one button on the TV remote control. In response, the client computer can combine the previously received information related to the item currently being offered for sale with the previously stored personal information related to the viewer, and transmit the order to the central computer and receive the confirmation in return. (Specification, column 8, line 52-column 9, line 2).

1. Objections Related to Reissue Formalities

The Applicants have noted the objection against the amendment filed December 20, 2002, which added new claims 246-357 without presenting the entire text of the claim in the required manner (i.e., with underlining). With a view to addressing this objection, the Applicants submit herewith a Response to Notice of Non-Compliant Amendment in which new claims 246-357 are shown to be underlined.

2. Claim Rejections – 35 USC §102

Claims 10, 12, 15, 16, 21-26, 28, 33-36, 38, 40, 43, 51-54, 58, 60, 63-66, 260, 262, 263, 278, 279, 280, and 281 stand rejected under 35 U.S.C §102(e) as allegedly being anticipated by U.S. Patent no. 5,621,456 (hereinafter Florin).

To anticipate a claim, the reference must teach every element of the claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Claim 10 has been amended as indicated herein with a view to addressing this rejection, and to clarify certain wording of the claim. Specifically, claim 10 as amended now includes the following limitations:

*“enabling the user to order the item by a single action with respect to the client, the single action being in connection with the order; and
in response to the single action with respect to the client, causing an order for the item to be placed,
wherein the enabling of the user to order the item by the single action includes using (1) previously stored, user related personal information that is stored in a memory associated with the client for repeated use in enabling further*

orders for further items to be placed and so that it is not necessary to solicit the user related, personal information each time a further order is placed and (2) previously received information related to the item being offered for sale at the time of the single action." (Emphasis Added).

Turning first to the question of the "single interaction" as reflected in the claims prior to amendment, the Final Office Action, in the Response to Arguments portion thereof, points out that Florin "required 3 actions" by the user to enable a user to order an item. These 3 actions are stated to be encompassed within a single interaction with the client device that is no different than the first and second embodiment (Final Office Action, page 5, lines 16-18). With a view to clarifying, claim 10 has been amended to require that the user be enabled to order the item by a single action with respect to the client, the single action being in connection with the order.

As stated in the previous response, Florin discloses the following:

[T]o order the mini-espreso machine...the user depresses the select button 155 (or the right arrow button 150) to highlight the order icon 490. As illustrated in FIG. 49, the personal identification order number window 420 is displayed in which the user (using the numeric keypad 176) inputs a personal identification number. (PIN). After entering the personal identification number (PIN), the ok. button 178 or select button 155 is depressed in order to order the product. (Florin, column 24, lines 40-47).

The methodology for ordering disclosed in Florin accordingly requires multiple actions by the user, namely:

- 1) user depression of the select button 155 (or the right arrow button 150) to highlight the order icon 490;

- 2) user input of a personal identification number (PIN) utilizing the numeric key pad 176; and
- 3) user selection of the ok button 178 (or the select button 155).

Accordingly, in order to order the mini-espreso machine, the user described in Florin performs three distinct actions with the main module 62, once a decision has been made to order the mini-espreso machine and as part of the order process. In contrast, amended claim 1 requires enabling the user to order the item by a single action.

Secondly, it will be noted that claim 10, as amended, now also specifically requires that the enabling of the user to order the item by a single action utilizing (1) previously stored, user related personal information that is stored in memory for repeated use in enabling further orders for further items to be placed, and so that it is not necessary to solicit the personal information each time a further order is placed.

Florin on the other hand fails to provide any disclosure regarding the storage of personal information for repeated use in enabling further orders to be placed. Specifically, Florin discloses only the following:

Referring to FIG. 48, to obtain further information regarding the mini-espreso machine illustrated in FIG. 47, the user depresses the select button 155 (or the right arrow button 150) on the remote control device 60 to highlight the info icon 408. As illustrated in FIG. 48, information relating to the particular product (i.e. espreso machine) is shown on the screen 180. To order the mini-espreso machine illustrated in FIGS. 47 and 48, the user depresses the select button 155 (or the right arrow button 150) to highlight the order icon 409. As illustrated in FIG. 49, a personal identification order number window 420 is displayed in which the user (using the numeric keypad 176) inputs a personal

identification number (PIN). After entering the personal identification number (PIN), the ok button 178 or select button 155 is depressed to order the product. In the presently preferred embodiment, once the personal identification number (PIN) of the user is entered into the system of the present invention and the ok button 178 or the select button 155 is depressed, a signal is provided by the CPU 63 to the service provider 50, using one of the back channels 102 (See FIG. 3)a. As illustrated in FIG. 50, a confirmation of the order, along with a delivery time is displayed to the user. It will also be appreciated that other home shopping interface variants may be designed and implemented using the teachings of the present invention. (Florin, column 24, lines 33-57).

In summary, each and every limitation of claim 10, as amended, is not found either expressly or inherently described in Florin. The other independent claims of the present application have been amended to include limitations corresponding substantially to the above-discussed limitations of claim 10. The Applicants accordingly contend that these further independent claims overcome the 35 U.S.C. §102(e) rejection for the same reasons set out above.

3. Claim Rejections - 35 U.S.C. § 103

A number of claims stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Florin and in view of further references.

To establish a **prima facie** case of **obviousness**, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. **Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.** The

teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

The prior art references when combined (i.e., Florin when combined with various other references as set out in the Office Action) simply do not teach or suggest all claim limitations of the claims rejected under 35 U.S.C. § 103. Specifically, each of these rejected claims is dependent upon an independent claim that is shown above to include a limitation that is not taught or suggested by Florin. Accordingly, the rejection of the various dependent claims under 35 U.S.C. § 103 is addressed by the above remarks that set out how the independent claims of the present application are distinguished over Florin.

In summary, the Applicants contend that all claims are now in a condition for allowance, which is earnestly solicited. If a telephone interview would in any way expedite allowance of the claims, the Examiner is invited to call the undersigned attorney at (408) 947-8200 ext. 204.

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then the Applicants hereby request such an extension.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Dated: 02/20/, 2003



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VERSION OF CLAIMS WITH MARKINGS

Please cancel claims 12, 30, 40, 60, and 278-281, without prejudice.

10. (Amended) A method of facilitating ordering an item using a distributed computing system including at least one client and at least one server, the method including:

at least one of showing and describing an item to a user via the client;
enabling the user to order the item by a single [interaction] action with respect to the client, the single action being in connection with the order; and
in response to the single [interaction] action with respect to the client, causing an order for the item to be placed[.].

wherein the enabling of the user to order the item by the single action includes using (1) previously stored, user related personal information that is stored in a memory associated with the client for repeated use in enabling further orders for further items to be placed and so that it is not necessary to solicit the user related, personal information each time a further order is placed and (2) previously received information related to the item being offered for sale at the time of the single action.

11. (Amended) The method of claim 10, wherein the single [interaction] action is one of a group including:

selecting of a single button; and
pressing of a single button on a TV remote control.

12. (Canceled) The method of claim 10, wherein causing the order to be placed is achieved by using:

information related to the item; and
user related personal information.

13. (Amended) The method of claim [12] 10, wherein the user related personal information includes at least one of a group including a user's name, address, method of payment and payment account number.

14. (Amended) The method of claim [12] 10, wherein the user related personal information is stored in memory in the client.

15. (Unamended) The method of claim 10, wherein the distributed computing system is an interactive television system and wherein the at least one of showing and describing of the item is, at least in part, by a television signal.

16. (Unamended) The method of claim 10, wherein the client includes an auxiliary data processor and a client computer.

17. (Amended) The method of claim 12, wherein the client is associated with at least a set top box, and wherein the user related personal information is stored at the set top box.

18. (Unamended) The method of claim 17, wherein the set top box is in communication with a local computer and associated storage and wherein the method further includes:

the client retrieving information from one or more of the local computer and the associated storage.

19. (Unamended) The method of claim 18, wherein the method further includes:

controlling the client by means of the local computer.

20. (Unamended) The method of claim 18, wherein the local computer is part of a local area network.

21. (Unamended) The method of claim 10, wherein the system further includes a central processing facility in communication with the server and wherein the method includes:

sending information used in processing the order from the client to the central processing facility.

22. (Unamended) The method of claim 10, further including:

sending an order confirmation to the user to confirm the order.

23. (Unamended) The method of claim 21, further including:

communicating information between the client and the server via the central processing facility.

25. (Unamended) The method of claim 23, wherein a telephone system acts as the central processing facility.

25. (Amended) The method of claim 10 including receiving at the client data including:

- (c) information to at least one of show and describe the item via the client; and
- (d) information to enable the user to order the item by the single [interaction] action with respect to the client.

26. (Unamended) The method of claim 25 wherein the data further includes an item identifier to identify the item.

27. (Unamended) The method of claim 26 wherein the item identifier includes at least one of a group of identifiers including a code and a command.

28. (Amended) A method of facilitating ordering an item, the method including:

providing a client with information to at least one of show and describe an item to a user; and

enabling the user to order the item by a single [interaction] action with respect to the client[.], the single action being in connection with the order, wherein the enabling of the user to order the item by the single action includes using (1) previously stored, user related, personal information that is stored in a memory for repeated use in enabling further orders for further items to be placed and so that it is not necessary to solicit the user related, personal information each time a further order is placed, and (2) previously provided item information related to the item that is being offered for sale at the time of the single action.

29. (Amended) The method of claim 28, wherein the single [interaction] action includes a least one of a group including:

selecting of a single button; and

pressing of a single button on a TV remote control.

30. (Canceled) The method of claim 28, including receiving the order from the client, the order including:

information related to the item; and

user related personal information.

31. (Amended) The method of claim [30] 28, wherein the user related, personal information includes at least one of a group including a user's name, address, method of payment and payment account number.

32. (Amended) The method of claim [30] 28, including retrieving the user related, personal information from a memory associated with the client.

33. (Amended) The method of claim 28, including providing the information to at least one of show and describe the item in the form of a television signal.

34. (Unamended) The method of claim 28 including communicating with a central processing facility and wherein the client sends the order to the central processing facility for receipt via a transceiver.

35. (Unamended) The method of claim 34 wherein a telephone system acts as the central processing facility.

36. (Unamended) The method of claim 28 including providing an order confirmation to the client to confirm the order.

37. (Amended) The method of claim [248] 28 including multiplexing the provision of the information to at least one of show and describe the item and [the] code to the client to thereby generate data for transmission to the client.

38. (Amended) A computer system to order an item, the system including:
a data processing system to at least one of show and describe an item to a user; and

a client to enable the user to order the item by a single [interaction] action with respect to the client and, in response to the single [interaction] action, to cause an order for the item to be placed[.].

wherein the client is to enable the user to order the item by the single action using (1) previously stored, user related, personal information that is stored in a memory for repeated use in enabling further orders for further items to be placed and so that it is not necessary to solicit the user related, personal information each time a further order is placed and (2) previously received information related to the item that is being offered for sale at the time of the single action.

39. (Amended) The system of claim 38, wherein the single [interaction] action includes at least one of a group including:

selecting of a single button; and

pressing of a single button on a TV remote control.

40. (Canceled) The system of claim 38, wherein the client is to place the order using:

information related to the item; and
user related personal information.

41. (Amended) The system of claim [40] 38, wherein the user related, personal information includes at least one of a group including a user's name, address, method of payment and payment account number.

42. (Amended) The system of claim [40] 38, wherein the user related, personal information is stored in memory of the client.

43. (Amended) The system of claim 38, wherein the [distributed computing] computer system is an interactive television system and wherein the at least one of showing and describing of the item by the data processing system is, at least in part, performed utilizing a television signal.

45. (Amended) The system of claim 38, wherein the client is associated with at least a set top box, and wherein the user related, personal information is stored at the set top box.

46. (Unamended) The system of claim 45, wherein the set top box is in communication with a local computer and associated storage and wherein the client is to retrieve information from one or more of the local computer and the associated storage.

47. (Unamended) The system of claim 46, wherein the local computer controls the client.

48. (Unamended) The system of claim 46, wherein the local computer is part of a local area network.

49. (Unamended) The system of claim 38, including a central processing facility in communication with a server and wherein the client sends information used in processing to the central processing facility.

50. (Unamended) The system of claim 49 wherein the server is to send an order confirmation to the user to confirm the order.

51. (Unamended) The system of claim 49, wherein the central processing facility is to communicate information between the client and the server.

52. (Unamended) The system of claim 51 wherein a telephone system acts as the central processing facility.

53. (Amended) The system of claim 38 including a data receiver to receive data including:

information to at least one of show and describe the item via the client;
and

information to enable the user to order the item by [a] the single
[interaction] action with respect to the client.

54. (Amended) The system of claim 53 wherein the data receiver includes an auxiliary data extractor to extract the information to at least one of show and describe from the data and a packet data extractor to extract the information to enable from the data.

55. (Amended) The system of claim 54 wherein the auxiliary data extractor provides the information to at least one of show and describe to the data processing system and the packet data extractor provides the information to enable to the client.

56. (Unamended) The system of claim 53 wherein the data further includes an item identifier to identify the item.

57. (Unamended) The system of claim 56 wherein the item identifier includes at least one a group of identifiers including a code and a command.

58. (Amended) A computer system to facilitate ordering an item, the system including:

a data source to provide a client with first information to at least one of show and describe an item to a user; and

an information source to provide the client with second information to enable the user to order the item by a single [interaction] action with respect to the client[.],

wherein the client is to enable the user to order the item by the single action using (1) previously stored, user related, personal information that is stored in a memory for repeated use in enabling further orders for further items to be placed and so that it is not necessary to solicit the user related, personal

information each time a further order is placed and (2) previously received information related to the item that is being offered for sale at the time of the single action.

59. (Amended) The system of claim 58, wherein the single [interaction] action includes at least one of a group including:

- a selecting of a single button; and
- a pressing of a single button on a TV remote control.

60. (Canceled) The system of claim 58, including a data receiver to receive the order from the client, the order including:

- information related to the item; and
- user related personal information.

61. (Amended) The system of claim [60] 58, wherein the user related, personal information includes at least one of a group including a user's name, address, method of payment and payment account number.

62. (Amended) The system of claim [60] 58, wherein the [code is] second information includes code executable by the client to retrieve the user related, personal information from a memory associated with the client.

63. (Unamended) The system of claim 58, wherein the data source is to provide the information in the form of a television signal.

64. (Unamended) The system of claim 58 including a data transceiver to communicate with a central processing facility and wherein the client sends the order to the central processing facility for receipt via the data transceiver.

65. (Unamended) The system of claim 64 wherein a telephone system acts as the central processing facility.

66. (Unamended) The system of claim 58 wherein the data source is to provide an order confirmation to the client to confirm the order.

67. (Amended) The system of claim 58 including a multiplexer to multiplex the provision of the first information to at least one of show and describe and the second information to enable the client to thereby generate data for transmission to the client.

246. (Amended) The method of claim 25 wherein the information to enable includes code executable by the client to enable the user to order the item by the single [interaction] action with the client.

247. (Amended) The method of claim 25 wherein the information to enable includes data to be processed by code executable by the client to enable the user to order the item by the single [interaction] action with the client.

248. (Unamended) The method of claim 28 wherein the enabling includes providing code to enable the user to order the item.

249. (Unamended) The method of claim 28 wherein the enabling includes providing data to be processed by code to enable the user to order the item.

250. (Unamended) The system of claim 53 wherein the information to enable includes code to enable the user to order the item.

251. (Unamended) The system of claim 53 wherein the information to enable includes data to be processed by code to enable the user to order the item.

252. (Amended) The system of claim 58 wherein the second information to enable includes code to be executed by the client to enable the user to order the item.

253. (Amended) The system of claim 58 wherein the information to enable includes data to be processed by code to enable the user to order the item.

260. (Amended) A machine-readable medium embodying a sequence of instructions that, when executed by a machine, cause the machine to facilitate [facilitating] ordering an item within a distributed computing system including at least one client and at least one server by:

at least one of showing and describing an item to a user via the client;
enabling the user to order the item by a single [interaction] action with respect to the client the single action being in connection with the order]; and],
in response to the single [interaction] action with respect to the client,
causing an order for the item to be placed[.],

wherein the enabling of the user to order the item by the single action includes using (1) previously stored, user related, personal information that is

stored in a memory associated with the client for repeated use in enabling further orders for further items to be placed and so that it is not necessary to solicit the user related, personal information each time a further order is placed and (2) previously received information related to the item that is being offered for sale at the time of the single action.

261. (Unamended) The machine-readable medium of claim 260, wherein the medium includes a data stream.

262. (Unamended) The machine-readable medium of claim 260, wherein the medium includes a mass storage device.

263. (Amended) A machine-readable medium embodying a sequence of instructions that, when executed by a machine, cause the machine to facilitate [facilitating] ordering an item by:

providing a client with information to at least one of show and describe an item to a user; and

enabling the user to order the item by a single [interaction] action with respect to the client[.], the single action being in connection with the order,

wherein the enabling of the user to order the item by the single action includes using (1) previously stored, user related, personal information that is stored in a memory for repeated use in enabling further orders for further items to be placed and so that it is not necessary to solicit the user related, personal information each time a further order is placed, and (2) previously provided item information related to the item that is being offered for sale at the time of the single action.

278. (Canceled) A method of facilitating ordering using a distributed computing system including at least one client and at least one server, the method including:

- at least one of showing and describing an offering to a user via the client;
- enabling the user to order the offering by a single interaction with the client; and
- in response to the single interaction with the client causing an order related to the offering to be placed.

279. (Canceled) A method including:

- providing a client with information to at least one of show and describe an offering to a user; and
- enabling the user to order the offering by a single interaction with the client.

280. (Canceled) A computer system including:

- a data processing system to at least one of show and describe an offering to a user; and
- a client to enable the user to order the item by a single interaction with the client and, in response to the single interaction, to cause an order for the offering to be placed.

281. (Canceled) A computer system including:

- a data source to provide a client with information to at least one of show and describe an offering to a user; and

an information source to provide the client with information to enable the user to order the offering by a single interaction with the client.

Year	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100
1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100	



Attorney's Docket No. 5214P001R

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kuriacose JOSEPH, et. al.

Application No.: 09/672,523

Filed: September 27, 2000

For: A METHOD AND SYSTEM TO
FACILITATE ORDERING OF AN
ITEM (As Amended)

Examiner: Kalinowski, Alexander G.

Art Group: 3626

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Leslie Rogan
Name of Person Mailing Correspondence

Leslie D. Rogan 2/20/03
Signature Date

Assistant Commissioner of Patents
Washington, DC 20231-9998

RESPONSE TO THE NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121)

Sir:

Applicants below set forth a marked-up version of the replacement claims, as
originally presented in the Preliminary Amendment filed on October 6, 2000.

MARKED UP VERSION OF THE CLAIMS

246. (New) The method of claim 25 wherein the information to enable includes code
executable by the client to enable the user to order the item by the single interaction
with the client.

247. (New) The method of claim 25 wherein the information to enable includes data to be processed by code executable by the client to enable the user to order the item by the single interaction with the client.

248. (New) The method of claim 28 wherein the enabling includes providing code to enable the user to order the item.

249. (New) The method of claim 28 wherein the enabling includes providing data to be processed by code to enable the user to order the item.

250. (New) The system of claim 53 wherein the information to enable includes code to enable the user to order the item.

251. (New) The system of claim 53 wherein the information to enable includes data to be processed by code to enable the user to order the item.

252. (New) The system of claim 58 wherein the information to enable includes code to be executed by the client to enable the user to order the item.

253. (New) The system of claim 58 wherein the information to enable includes data to be processed by code to enable the user to order the item.

254. (New) The method of claim 151 wherein the second stream of packets includes code modules that comprise the computing application and data modules including data to be processed by the computing application.

255. (New) The method of claim 172 wherein the second stream of packets includes code modules that comprise the computing application and data modules including data to be processed by the computing application.

256. (New) The method of claim 189 wherein the second stream of packets includes code modules that comprise the computing application and data modules including the information to be used by the computing application.

257. (New) The system of claim 205 wherein the second stream of packets includes code modules that comprise the computing application and data modules including data to be processed by the computing application.

258. (New) The system of claim 224 wherein the second stream of packets includes at least a portion of the computing application.

259. (New) The system of claim 237 wherein the second information includes at least a portion of the computing application.

260. (New) A machine-readable medium embodying a sequence of instructions that, when executed by a machine, cause the machine to facilitating ordering an item within a distributed computing system including at least one client and at least one server by:

showing and/or describing an item to a user via the client;

enabling the user to order the item by a single interaction with the client; and

in response to the single interaction with the client, causing an order for the item to be placed.

261. (New) The machine-readable medium of claim 260, wherein the medium comprises a data stream.

262. (New) The machine-readable medium of claim 260, wherein the medium comprises a mass storage device.

263. (New) A machine-readable medium embodying a sequence of instructions that, when executed by a machine, cause the machine to facilitating ordering an item by:

providing a client with information to show and/or describe an item to a user;
and

enabling the user to order the item by a single interaction with a client.

264. (New) A machine-readable medium embodying a sequence of instructions that, when executed by a machine, cause the machine to facilitate ordering an item using an interactive television system by:

receiving data, some of which represents video and some of which represents a computing application;

causing the video to be displayed;

executing the computing application to cause display of interactive information;

using one or more of the displayed video and the interactive information to show and/or describe an item to a television user;

enabling the user to select the item by way of an interaction; and

in response to the interaction, causing an order for the item to be placed.

265. (New) A machine-readable medium embodying a sequence of instructions that, when executed by a machine, cause the machine to facilitate ordering an item using an interactive television system by:

providing data, some of which represents video to be displayed and some of which represents a computing application to be executed to display interactive information, to the client, the client to use one or more of the displayed video and the interactive information to show and/or describe an item to a television user and to enable the user to select the item by interacting with the client ; and

in response to the interaction, receiving an order for the item.

266. (New) A machine-readable medium embodying a sequence of instructions that, when executed by a machine, cause the machine to facilitate placing an order for an item by:

receiving an order request at a client system;

automatically determining an item identity for an item to which the order request pertains;

automatically retrieving previously stored personal information previously, the retrieved personal information pertaining to a user associated with the client system; and

causing an order to be placed, the order including the item identity and the retrieved personal information.

267. (New) A machine-readable medium embodying a sequence of instructions that, when executed by a machine, cause the machine to facilitate placing of an order for an item by communicating data to a client system, the data including:

information related to an item; and

information to be used by a computing application to receive an order request at the client system, automatically to determine an item identity for an item to which the order request pertains utilizing the information related to the item, automatically to retrieve personal information of a user associated with the client system, the retrieved personal information having been previously stored, and to cause an order to be placed, the order including the item identity and the retrieved personal information.

268. (New) A method of facilitating ordering an item using an interactive television system including at least one client and at least one server, the method comprising:

using the server to provide data for use by a computing application to the client;

at the client, executing the computing application to cause display of interactive information;

using the interactive information to show and/or describe an item to a television viewer;

enabling the viewer to select the item by interacting with the client; and

in response to the viewer interaction, causing an order relating to the item to be placed.

269. (New) The method of claim 268, wherein the viewer interaction is by way of a single command.

270. (New) The method of claim 269, wherein the single command is by one of a group of:

selecting of a single button; and

pressing of a single button on a TV remote control.

271. (New) The method of claim 268, wherein causing the order to be placed is achieved by using:

information related to the item and viewer related personal information.

272. (New) The method of claim 271, wherein the personal information is stored in memory at the client.

273. (New) A method of facilitating ordering an item using an interactive television system, the method comprising:

receiving data to be used by a computing application;

executing the computing application to cause display of interactive information;

using the interactive information to show and/or describe an item to a television user;

enabling the user to select the item by way of an interaction; and

in response to the interaction, causing an order relating to the item to be placed.

274. (New) A method of facilitating ordering an item using an interactive television system, the method comprising:

providing data to be used by a computing application to a client to cause display of interactive information, the client to use the interactive information to show and/or describe an item to a television user and to enable the user to select the item by interacting with the client; and

in response to the interaction, receiving an order for the item.

275. (New) An interactive television system comprising:

a server to provide data, to be used by a computing application, to a client;

the client to:

execute the computing application to cause display of interactive information;

use the interactive information to show and/or describe an item to a television user;

enable the television user to select the item by interacting with the client ;
and

in response to the interaction, cause an order for the item to be placed.

276. (New) An interactive television system to order an item, the system comprising:

a receiver to receive data to be used by a computing application; and

a processing unit to:

execute the computing application to cause display of interactive information;

using the interactive information, show and/or describe an item to a television user;

enable the user to select the item by way of an interaction; and

in response to the interaction, cause an order for the item to be placed.

277. (New) An interactive television system to order an item, the system comprising:

a server to provide data, to be used by a computing application to display interactive information, to a client, the client to use the interactive information to show and/or describe an item to a television user and to enable the television user to select the item by interacting with the client; and

a receiver, in response to the interaction, to receive an order for the item.

278. (New) A method of facilitating ordering using a distributed computing system including at least one client and at least one server, the method comprising:

showing and/or describing an offering to a user via the client;

enabling the user to order the offering by a single interaction with the client; and

in response to the single interaction with the client causing an order related to the offering to be placed.

279. (New) A method comprising:

providing a client with information to show and/or describe an offering to a user; and

enabling the user to order the offering by a single interaction with a client.

280. (New) A computer system comprising:

a data processing system to show and/or describe an offering to a user; and

a client to enable the user to order the item by a single interaction with the client and, in response to the single interaction, to cause an order for the offering to be placed.

281. (New) A computer system comprising:

a data source to provide a client with information to show and/or describe an offering to a user; and

an information source to provide a client with information to enable the user to order the offering by a single interaction with a client.

282. (New) A method of facilitating ordering using an interactive television system including at least one client and at least one server, the method comprising:

using the server to provide data for use by a computing application to the client;

at the client, executing the computing application to cause display of interactive information;

using the interactive information to show and/or describe an offering to a television viewer

enabling the viewer to select the offering by interacting with the client; and

in response to the viewer interaction, causing an order relating to the offering to be placed.

283. (New) A method of facilitating ordering an offering using an interactive television system, the method comprising:

receiving data to be used by a computing application;

executing the computing application to cause display of interactive information;

using the interactive information to show and/or describe an offering to a television user;

enabling the user to select the offering by way of an interaction; and

in response to the interaction, causing an order relating to the offering to be placed.

284. (New) A method comprising:

providing data to be used by a computing application to a client to cause display of interactive information, the client to use the interactive information to show and/or describe an offering to a television user and to enable the user to select the offering by interacting with the client and

in response to the interaction, receiving an order for the offering.

285. (New) An interactive television system comprising:

a server to provide data, to be used by a computing application, to a client;

the client to:

execute the computing application to cause display of interactive information;

use the interactive information to show and/or describe an offering to a television user;

enable the television user to select the offering by interacting with the client; and

in response to the interaction, cause an order for the offering to be placed.

286. (New) An interactive television system comprising:

a receiver to receive data to be used by a computing application; and

a processing unit to:

execute the computing application to cause display of interactive information;

using the interactive information, show and/or describe an offering to a television user;

enable the television user to select the offering by way of an interaction; and

in response to the interaction, cause an order for the item to be placed.

287. (New) An interactive television system comprising:

a server to provide data, to be used by a computing application to display interactive information, to a client, the client to use the interactive information to show and/or describe an offering to a television user and to enable the television user to select the item by interacting with the client; and

a receiver, in response to the interaction, to receive an order for the item.

288. (New) A method of facilitating placing an order for an item, the method comprising:

receiving an order request at a client system;

automatically determining an offering identity for an offering to which the order request pertains;

automatically retrieving previously stored personal information, the retrieved personal information pertaining to a user associated with the client system; and

causing an order to be placed, the order including the offering identity and the retrieved personal information.

289. (New) A method of facilitating placing of an order, the method comprising communicating data to a client system, the data including:

information related to an offering; and

information to be used by a computing application to receive an order request at the client system, automatically to determine an offering identity for the offering utilizing the information related to the offering, automatically to retrieve personal information of a user associated with the client system, the retrieved personal information having been previously stored, and to cause an order to be placed, the order including the offering identity and the retrieved personal information.

290. (New) A system comprising:

a. a client to receive data including at least auxiliary data, and including:

i. an auxiliary data processor to process the auxiliary data, and

ii. a display to display images based on the processed auxiliary data;
and

b. a local computer collocated with and in communication with the
client to allow the client to communicate with the local computer.

291. (New) The system of claim 290, further comprising a mass storage in
communication with the client to enable the client to retrieve information from the mass
storage.

292. (New) The system of claim 291, wherein the client is to use the mass storage to
store of data to be retrieved later.

293. (New) The system of claim 292, wherein the local computer is to control the
client.

294. (New) The system of claim 293, wherein the local computer is to control the
client to process a computer program included in the received data.

295. (New) The system of claim 290, wherein the local computer is at least one of the
group consisting of a personal computer, a larger computer and a computer network.

296. (New) The system of claim 290, wherein the client further includes a client computer and wherein the received data further includes application data to be processed by the client computer.

297. (New) The system of claim 296, wherein the application data includes computer code to facilitate an interaction with a client system user.

298. (New) The system of claim 296, wherein the application data includes data to be used by computer code executable by the client computer to facilitate an interaction with a client system user.

299. (New) The system of claim 290, wherein the system is an interactive television system and the auxiliary data includes data representing television images.

300. (New) The system of claim 296, wherein the client computer is to generate graphics, in response to execution of computer code, for display by the client system.

301. (New) A television system comprising:

a. a client to receive data including at least auxiliary data, and including:

i. an auxiliary data processor to process the auxiliary data, and

ii. a display to display video images, based on the processed auxiliary data; and

b. a mass storage in communication with the client to enable the client to retrieve information from the mass storage.

302. (New) The system of claim 301, wherein the client is to use the mass storage to store of data to be retrieved later.

303. (New) The system of claim 301, further comprising a local computer collocated with and in communication with the client to allow the client.

304. (New) The system of claim 303, wherein the local computer can be used to control the client.

305. (New) The system of claim 304, wherein the local computer is to control the client to process a computer program included in the received data.

306. (New) The system of claim 303, wherein the local computer is at least one of the group consisting of a personal computer, a larger computer and a computer network.

307. (New) The system of claim 301, wherein the client further includes a client computer and wherein the received data further includes application data for processing by the client computer.

308. (New) The system of claim 307, wherein the application data includes computer code executable by the client computer to facilitate an interaction with a client system user.

309. (New) The system of claim 307, wherein the application data includes data to be used by computer code executable by the client computer to facilitate an interaction with a client system user.

310. (New) The system of claim 301, wherein the system is an interactive television system and the auxiliary data includes data representing television images.

311. (New) The system of claim 307, wherein the client computer is to generate graphics, in response to execution of computer code, for display by the client system.

312. (New) A system comprising:

a. a server to generate data including at least auxiliary data;

b. a client to receive the data, and including:

i. an auxiliary data processor to process the auxiliary data, and

ii. a display to display video images, based on the processed auxiliary data; and

c. a local computer collocated with and in communication with the client to allow the client to communicate with the local computer.

313. (New) The system of claim 312, further comprising a mass storage in communication with the client to enable the client to retrieve information from the mass storage.

314. (New) The system of claim 313, wherein the client is to use the mass storage to store of data to be retrieved later.

315. (New) The system of claim 312, wherein the local computer is to control the client.

316. The system of claim 315, wherein the local computer is to control the client to process a computer program included in the received data.

317. (New) The system of claim 312, wherein the local computer is at least one of the group consisting of a personal computer, a larger computer and a computer network.

318. (New) The system of claim 312, wherein the server is to generate the data to include application data to be processed by the client.

319. (New) The system of claim 318, wherein the application data includes computer code executable by the client to facilitate an interaction with a client system user.

320. (New) The system of claim 318, wherein the application data includes data to be used by computer code executable by the client to facilitate an interaction with a client system user.

321. (New) A system comprising:

a. a server to generate data including at least auxiliary data;

b. a client to receive the data, and including:

i. an auxiliary data processor to process the auxiliary data, and

ii. a display to display images, based on the processed auxiliary data; and

c. a mass storage in communication with the client to enable the client to retrieve information from the mass storage.

322. (New) The system of claim 321, wherein the client is to use the mass storage to store data to be retrieved later.

323. (New) The system of claim 321, further comprising a local computer collocated with and in communication with the client to allow the client.

324. (New) The system of claim 323, wherein the local computer can be used to control the client.

325. (New) The system of claim 321, wherein the local computer is at least one of the group consisting of a personal computer, a larger computer and a computer network.

326. (New) The system of claim 321, wherein the server is to generate the data to include application data for processing by the client.

327. (New) The system of claim 326, wherein the application data includes computer code executable by the client to facilitate an interaction with a user.

328. (New) The system of claim 326, wherein the application data includes data to be used by computer code executable by the client to facilitate an interaction with a user.

329. (New) A method comprising:

receiving data including at least auxiliary at a client;

displaying images, based on the auxiliary data utilizing the client; and

communicating between the client and a local computer collocated with and in communication with the client.

330. (New) The method of claim 327 including processing the auxiliary data.

331. (New) The method of claim 329, including retrieving data from a mass storage utilizing the client, the retrieving being performed via the local computer.

332. (New) The method of claim 329, including storing data to be retrieved later at a mass storage utilizing the client, the storing being performed via the local computer.

333. (New) The method of claim 329, including controlling the client utilizing the local computer.

334. (New) The method of claim 333, including controlling the client to process a computer program included in the received data.

335. (New) The method of claim 329, wherein the local computer is at least one of the group consisting of a personal computer, a larger computer and a computer network.

336. (New) The method of claim 329, wherein the client further includes a client computer and wherein the received data further includes application data to be processed by the client computer, the method including utilizing the application data to facilitate an interaction between the client and a user.

337. (New) The method of claim 336, including executing computer code included within the application data to facilitate the interaction.

338. (New) The method of claim 329, wherein the displaying of the images includes generating television images.

339. (New) The method of claim 329, including generating graphics, in response to execution of computer code by the client, for display by the client.

340. (New) The method of claim 329, including generating the received data to include computer code executable by the client to facilitate an interaction with a user.

341. (New) The method of claim 329, including generating the received data to include application data to be used by computer code executable by the client to facilitate an interaction with a user.

342. (New) A method comprising:

receiving data including at least auxiliary data at a client;

displaying images, based on the processed auxiliary data utilizing the client; and

retrieving information from mass storage utilizing the client, the mass storage being in communication with the client.

343. (New) The method of claim 342 including processing the auxiliary data.

344. (New) The method of claim 342, wherein the retrieving being performed via a local computer.

345. (New) The method of claim 342, including storing data to be retrieved later at the mass storage utilizing the client, the storing being performed via a local computer.

346. (New) The method of claim 324, including controlling the client utilizing a local computer.

347. (New) The method of claim 346, including controlling the client to process a computer program included in the received data.

348. (New) The method of claim 346, wherein the local computer is at least one of the group consisting of a personal computer, a larger computer and a computer network.

349. (New) The method of claim 342, wherein the client further includes a client computer and wherein the received data further includes application data to be processed by the client computer, the method including utilizing the application data to facilitate an interaction between the client and a user.

350. (New) The method of claim 349, including executing computer code within the application data to facilitate the interaction.

351. (New) The method of claim 349, including utilizing data, included with the application data and to be used by computer code executable by the client computer, to facilitate the interaction.

352. (New) The method of claim 342, wherein the displaying of the images includes generating television images.

353. (New) The method of claim 342, including generating graphics, in response to execution of computer code by the client, for display by the client.

354. (New) The method of claim 342, including generating the received data to include computer code executable by the client to facilitate an interaction with a user.

355. (New) The method of claim 342, including generating the received data to include application data to be used by computer code executable by the client to facilitate an interaction with a user.

356. (New) A machine-readable medium embodying a sequence of instructions that, when executed by a machine, cause the machine to:

receive data including at least auxiliary data representing video images at the machine;

display video images, based on the auxiliary data utilizing the machine;
and

communicate between the machine and a local computer collocated with and in communication with the machine.

357. (New) A machine-readable medium embodying a sequence of instructions that, when executed by a machine, cause the machine to:

receive data including at least auxiliary data representing video images at the machine;

display video images, based on the processed auxiliary data utilizing the machine; and


retrieving information from mass storage utilizing the machine the mass storage being in communication with the machine.

If there are any additional charges, please charge Deposit Account No. 02-2666.

If a telephone interview would in any way expedite the prosecution of the present application, the Examiner is invited to contact André Marais at (408) 947-8200.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 02/20/2003



André L. Marais
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copies of RCE/3626
#

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:
Commissioner for Patents
BOX RCE
Washington, DC 20231

Application No.	09/872,523
Filing Date	September 27, 2000
First Named Inventor	Kuriacose Joseph
Group/Part Unit	3626
Examiner Name	Alexander G. Kalinowski
Attorney Docket Number	5214P001R

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR § 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- iii. ☐ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/Declaration(s)
- iv. ☒ Other Preliminary Amendment

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-2666.
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) and any additional claims fee(s)
- ii. ☐ Extension of time fee (37 C.F.R. § 1.136 and 1.17)
- iii. ☐ Other: (\$00) _____
- b. ☒ Check in the amount of \$750.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosd)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	André L. Marais	Registration No. (Attorney/Agent)	48,095
Signature		Date	February 20, 2003

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail with sufficient postage in an envelope addressed to: Box AF, Assistant Commissioner for Patents, Washington, D.C. 20231 on:

February 20, 2003

Name (Print/Type)	Leslie D. Rogan	Date	February 20, 2003
Signature			

Burden Hour Statement: This form is designed to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Box RCE, Washington, DC 20231.

FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

Complete if Known

Application Number 09/672,523
Filing Date September 27, 2000
First Named Inventor Kuriacose Joseph
Examiner Name Alexander G. Kalinowski
Group/Art Unit 3626
Attorney Docket No. 5214P001R

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$) 750.00

METHOD OF PAYMENT (check one)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account

Deposit Account Number 02-2666

Deposit Account Name Blakely, Sokoloff, Taylor & Zafman LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$)

2. EXTRA CLAIM FEES

Total Claims 20¹ = 0 x 18.00 = \$0.00
Independent Claims 3² = 0 x 84.00 = \$0.00
Multiple-Dependent

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple Dependent claim, not paid	
1307	52	2304	26	Reissue independent claims over original patent	
1205	18	2205	9	Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$)

¹or number previously paid, if greater. For Reissues, see below

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
2053	130	2053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1404	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(g)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	1809	375	Filing a submission after final rejection (37 CFR § 1.128(a))	
1810	750	1810	375	For each additional invention to be examined (37 CFR § 1.128(b))	
1801	750	1801	375	Request for Continued Examination (RCE)	750.00
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify)					
*Reductio by Basic Filing Fee Paid					
SUBTOTAL (3)					(\$)

SUBMITTED BY

Name (Print/Type) André L. Marais

Registration No. (Attorney/Agent)

48,095

Complete (if applicable)

Signature

AM

Telephone

(408) 947-8200

Date

02/20/03

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application to the USPTO. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

20/RCE Request
 3-19-03
 PTO/BAE (10-01)
 Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

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Application No.	09/672,523
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Group Art Unit	3626
Examiner Name	Alexander G. Kalinowski
Attorney Docket Number	5214P001R

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1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
 i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on
 (Any unamended amendment(s) referred to above will be entered).
 ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
 iii. ☐ Other _____
 b. ☒ Enclosed
 i. ☐ Amendment/Reply
 ii. ☐ Affidavit(s)/Declaration(s)
 iii. ☐ Information Disclosure Statement (IDS)
 iv. ☒ Other Preliminary Amendment

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(f) required)
 b. ☐ Other _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-2656.
 i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) and any additional claims fee(s)
 ii. ☐ Extension of time fee (37 C.F.R. § 1.136 and 1.17)
 iii. ☐ Other: (\$0.00)
 b. ☒ Check in the amount of \$750.00 enclosed
 c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	André L. Marais	Registration No. (Attorney/Agent)	48,095
Signature		Date	February 20, 2003

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail with sufficient postage in an envelope addressed to: Box AF, Assistant Commissioner for Patents, Washington, D.C. 20231 on:

February 20, 2003

Name (Print/Type)	Leslie D. Rogan	Date	February 20, 2003
Signature			

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FACSIMILE TRANSMITTAL SHEET (TRANSMITTAL TO PTO)

Deliver to: Examiner Kalinowski
Firm Name: U.S. PATENT AND TRADEMARK OFFICE
Fax Number: (703) 746-5582 Telephone No.: 703.305-2398
From: André L. Marais
Date: March 18, 2003 Time: 2:00 p.m. (PST)
Operator: Leslie Rogan (x-214) Atty Docket: 005214.P001R
Number of pages including cover sheet: 66 (part 1 of 2)

US Patent Application No.: 09/672,523

Enclosed are the following documents: Request for Continued Examination,
Fee Transmittal, Preliminary Amendment and Response to Final Office Action
And Response to the Notice of Non-Compliant Amendment

Examiner Kalinowski:

Pursuant to your request, enclosed are the documents which were filed
on February 20, 2003.

As mentioned in the voice mail message I left for you, I will be sending
this in two batches as our fax machine cannot process all the documents at once.

Please feel free to contact me or André if you need any further assistance.

Leslie RoganAssistant to André L. Marais**CONFIDENTIALITY NOTE**

The documents accompanying this facsimile transmission contain information from the law firm of Blakely Sokoloff Taylor & Zafman LLP that is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution, or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$) 750.00

Complete if Known

Application Number 09/672,523
Filing Date September 27, 2000
First Named Inventor Kuniacose Joseph
Examiner Name Alexander G. Kalmowski
Group/Art Unit 3626
Attorney Docket No. S214P001R

METHOD OF PAYMENT (check one)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account

Deposit Account Number 02-2666
Deposit Account Name Blakely, Sokoloff, Taylor & Zafman LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	620	2003	260	Plant filing fee	
1004	750	2004	375	Rescue filing fee	
1005	180	2005	60	Provisional filing fee	
SUBTOTAL (1)					(5)

2. EXTRA CLAIM FEE

Total Claims: 20 * 0 = 0 X 18.00 = 360.00
Independent Claims: 3 * 0 = 0 X 84.00 = 252.00
Multiple Dependent Claims: 0

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1202	18	2202	9	Claims in excess of 20	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple Dependent claims, if not paid	
1204	84	2204	42	*Rescued independent claims over original patent	
1205	18	2205	9	**Rescued claims in excess of 20 and over original patent	
SUBTOTAL (2)					(5) 0.00

*or number previously paid, if greater. For RESCUES, see below

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
2053	130	2053	130	Non-English specification	
1812	2,020	1812	2,020	For filing a request for ex parte reexamination	
1804	920 *	1804	920 *	*Requesting publication of SIR prior to Examiner action	
1605	1,840 *	1905	1,840 *	*Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	830	2253	405	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1404	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or rescues)	
1602	470	2502	235	Design issue fee	
1303	630	2503	315	Plant issue fee	
1460	130	2460	130	Fee to the Commissioner	
1807	50	1807	50	Prosecuting fee under 37 CFR 1.17(a)	
1808	180	1808	180	Submission of information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	1809	375	Filing a submission after final rejection (37 CFR § 1.126(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.126(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	750.00
1802	600	1802	600	Request for expedited examination of a design application	

Other fee (specify)

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (5) 750.00

SUBMITTED BY

Name (Print/Type) André L. Marais

Registration No. (Attorney/Agent)

48,095

Complete if applicable

Telephone (408) 947-8200

Signature

André L. Marais

Date

02/20/03

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to be paid by the USPTO to process an application. Confidentiality is governed by 35 U.S.C. 182 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application to the USPTO. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

Attorney's Docket No. 5214P001R

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kuriacose JOSEPH, et al.

Application No.: 09/672,523

Filed: September 27, 2000

For: A METHOD AND SYSTEM TO
FACILITATE ORDERING OF AN ITEM
(As Amended)

Examiner: Kalinowski, Alexander G.

Art Group: 3626

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

on February 20, 2003
Date of DepositLeslie Ronan
Name of Person Mailing CorrespondenceLeslie D. Ronan 2/20/03
Signature DateAssistant Commissioner for Patents
Washington, D.C. 20231PRELIMINARY AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION

Sir:

In response to the Final Office Action mailed November 20, 2002,
Applicants respectfully request the Examiner to enter the following amendments
and to consider the following remarks.

IN THE CLAIMS:

Please amend the claims as follows:

VERSION OF CLAIMS WITH MARKINGS

✓ ✓
Please cancel claims 12, 30, 40, 60, and 278-281, without prejudice.

10. (Amended) A method of facilitating ordering an item using a distributed computing system including at least one client and at least one server, the method including:

at least one of showing and describing an item to a user via the client;
enabling the user to order the item by a single [interaction] action with respect to the client, the single action being in connection with the order; and
in response to the single [interaction] action with respect to the client, causing an order for the item to be placed[.].

wherein the enabling of the user to order the item by the single action includes using (1) previously stored, user related personal information that is stored in a memory associated with the client for repeated use in enabling further orders for further items to be placed and so that it is not necessary to solicit the user related, personal information each time a further order is placed and (2) previously received information related to the item being offered for sale at the time of the single action.

11. (Amended) The method of claim 10, wherein the single [interaction] action is one of a group including:
selecting of a single button; and
pressing of a single button on a TV remote control.

12. (Canceled) The method of claim 10, wherein causing the order to be placed is achieved by using:

information related to the item; and
user related personal information.

13. (Amended) The method of claim [12] 10, wherein the user related, personal information includes at least one of a group including a user's name, address, method of payment and payment account number.

14. (Amended) The method of claim [12] 10, wherein the user related, personal information is stored in memory in the client.

15. (Unamended) The method of claim 10, wherein the distributed computing system is an interactive television system and wherein the at least one of showing and describing of the item is, at least in part, by a television signal.

16. (Unamended) The method of claim 10, wherein the client includes an auxiliary data processor and a client computer.

17. (Amended) The method of claim 12, wherein the client is associated with at least a set top box, and wherein the user related, personal information is stored at the set top box.

18. (Unamended) The method of claim 17, wherein the set top box is in communication with a local computer and associated storage and wherein the method further includes:

the client retrieving information from one or more of the local computer and the associated storage.

19. (Unamended) The method of claim 18, wherein the method further includes:

controlling the client by means of the local computer.

20. (Unamended) The method of claim 18, wherein the local computer is part of a local area network.

21. (Unamended) The method of claim 10, wherein the system further includes a central processing facility in communication with the server and wherein the method includes:

sending information used in processing the order from the client to the central processing facility.

22. (Unamended) The method of claim 10, further including:
sending an order confirmation to the user to confirm the order.

23. (Unamended) The method of claim 21, further including:
communicating information between the client and the server via the central processing facility.

25. (Unamended) The method of claim 23, wherein a telephone system acts as the central processing facility.

25. (Amended) The method of claim 10 including receiving at the client data including:

- (c) information to at least one of show and describe the item via the client; and
- (d) information to enable the user to order the item by the single [interaction] action with respect to the client.

26. (Unamended) The method of claim 25 wherein the data further includes an item identifier to identify the item.

27. (Unamended) The method of claim 26 wherein the item identifier includes at least one of a group of identifiers including a code and a command.

28. (Amended) A method of facilitating ordering an item, the method including:

providing a client with information to at least one of show and describe an item to a user; and

enabling the user to order the item by a single [interaction] action with respect to the client. the single action being in connection with the order, wherein the enabling of the user to order the item by the single action includes using (1) previously stored, user related, personal information that is stored in a memory for repeated use in enabling further orders for further items to be placed and so that it is not necessary to solicit the user related, personal information each time a further order is placed, and (2) previously provided item information related to the item that is being offered for sale at the time of the single action.

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29. (Amended) The method of claim 28, wherein the single [interaction] action includes a least one of a group including:
selecting of a single button; and
pressing of a single button on a TV remote control.

30. (Canceled) The method of claim 28, including receiving the order from the client, the order including:
information related to the item; and
user related personal information.

31. (Amended) The method of claim ~~[30] 28~~, wherein the user related, personal information includes at least one of a group including a user's name, address, method of payment and payment account number.

32. (Amended) The method of claim ~~[30] 28~~, including retrieving the user related, personal information from a memory associated with the client.

33. (Amended) The method of claim 28, including providing the information to at least one of show and describe the item in the form of a television signal.

34. (Unamended) The method of claim 28 including communicating with a central processing facility and wherein the client sends the order to the central processing facility for receipt via a transceiver.

35. (Unamended) The method of claim 34 wherein a telephone system acts as the central processing facility.

36. (Unamended) The method of claim 28 including providing an order confirmation to the client to confirm the order.

37. (Amended) The method of claim [248] 28 including multiplexing the provision of the information to at least one of show and describe the item and [the] code to the client to thereby generate data for transmission to the client.

38. (Amended) A computer system to order an item, the system including:
a data processing system to at least one of show and describe an item to a user; and

a client to enable the user to order the item by a single [interaction] action with respect to the client and, in response to the single [interaction] action, to cause an order for the item to be placed[.].

wherein the client is to enable the user to order the item by the single action using (1) previously stored, user related, personal information that is stored in a memory for repeated use in enabling further orders for further items to be placed and so that it is not necessary to solicit the user related, personal information each time a further order is placed and (2) previously received information related to the item that is being offered for sale at the time of the single action.

39. (Amended) The system of claim 38, wherein the single [interaction] action includes at least one of a group including:
selecting of a single button; and
pressing of a single button on a TV remote control.

40. (Canceled) The system of claim 38, wherein the client is to place the order using:

information related to the item; and
user related personal information.

41. (Amended) The system of claim [40] ~~38~~, wherein the user related, personal information includes at least one of a group including a user's name, address, method of payment and payment account number.

42. (Amended) The system of claim [40] ~~38~~, wherein the user related, personal information is stored in memory of the client.

43. (Amended) The system of claim 38, wherein the [distributed computing] computer system is an interactive television system and wherein the at least one of showing and describing of the item by the data processing system is, at least in part, performed utilizing a television signal.

45. (Amended) The system of claim 38, wherein the client is associated with at least a set top box, and wherein the user related, personal information is stored at the set top box.

46. (Unamended) The system of claim 45, wherein the set top box is in communication with a local computer and associated storage and wherein the client is to retrieve information from one or more of the local computer and the associated storage.

47. (Unamended) The system of claim 46, wherein the local computer controls the client.

48. (Unamended) The system of claim 46, wherein the local computer is part of a local area network.

49. (Unamended) The system of claim 38, including a central processing facility in communication with a server and wherein the client sends information used in processing to the central processing facility.

50. (Unamended) The system of claim 49 wherein the server is to send an order confirmation to the user to confirm the order.

51. (Unamended) The system of claim 49, wherein the central processing facility is to communicate information between the client and the server.

52. (Unamended) The system of claim 51 wherein a telephone system acts as the central processing facility.

53. (Amended) The system of claim 38 including a data receiver to receive data including:

information to at least one of show and describe the item via the client;

and

information to enable the user to order the item by [a] the single

[interaction] action with respect to the client.

54. (Amended) The system of claim 53 wherein the data receiver includes an auxiliary data extractor to extract the information to at least one of show and describe from the data and a packet data extractor to extract the information to enable from the data.

55. (Amended) The system of claim 54 wherein the auxiliary data extractor provides the information to at least one of show and describe to the data processing system and the packet data extractor provides the information to enable to the client.

56. (Unamended) The system of claim 53 wherein the data further includes an item identifier to identify the item.

57. (Unamended) The system of claim 56 wherein the item identifier includes at least one a group of identifiers including a code and a command.

58. (Amended) A computer system to facilitate ordering an item, the system including:

a data source to provide a client with first information to at least one of show and describe an item to a user; and

an information source to provide the client with second information to enable the user to order the item by a single [interaction] action with respect to the client[.].

wherein the client is to enable the user to order the item by the single action using (1) previously stored, user related, personal information that is stored in a memory for repeated use in enabling further orders for further items to be placed and so that it is not necessary to solicit the user related, personal

information each time a further order is placed and (2) previously received information related to the item that is being offered for sale at the time of the single action.

59. (Amended) The system of claim 58, wherein the single [interaction] action includes at least one of a group including:
a selecting of a single button; and
a pressing of a single button on a TV remote control.

60. (Canceled) The system of claim 58, including a data receiver to receive the order from the client, the order including:
information related to the item; and
user related personal information.

61. (Amended) The system of claim [60] 58, wherein the user related, personal information includes at least one of a group including a user's name, address, method of payment and payment account number.

62. (Amended) The system of claim [60] 58, wherein the [code is] second information includes code executable by the client to retrieve the user related, personal information from a memory associated with the client.

63. (Unamended) The system of claim 58, wherein the data source is to provide the information in the form of a television signal.

64. (Unamended) The system of claim 58 including a data transceiver to communicate with a central processing facility and wherein the client sends the order to the central processing facility for receipt via the data transceiver.

65. (Unamended) The system of claim 64 wherein a telephone system acts as the central processing facility.

66. (Unamended) The system of claim 58 wherein the data source is to provide an order confirmation to the client to confirm the order.

D12 F1
67. (Amended) The system of claim 58 including a multiplexer to multiplex the provision of the first information to at least one of show and describe and the second information to enable to the client to thereby generate data for transmission to the client.

D13 F1
246. (Amended) The method of claim 25 wherein the information to enable includes code executable by the client to enable the user to order the item by the single [interaction] action with the client.

247. (Amended) The method of claim 25 wherein the information to enable includes data to be processed by code executable by the client to enable the user to order the item by the single [interaction] action with the client.

248. (Unamended) The method of claim 28 wherein the enabling includes providing code to enable the user to order the item.

249. (Unamended) The method of claim 28 wherein the enabling includes providing data to be processed by code to enable the user to order the item.
250. (Unamended) The system of claim 53 wherein the information to enable includes code to enable the user to order the item.
251. (Unamended) The system of claim 53 wherein the information to enable includes data to be processed by code to enable the user to order the item.
-
252. (Amended) The system of claim 58 wherein the second information to enable includes code to be executed by the client to enable the user to order the item.
253. (Amended) The system of claim 58 wherein the information to enable includes data to be processed by code to enable the user to order the item.
-
260. (Amended) A machine-readable medium embodying a sequence of instructions that, when executed by a machine, cause the machine to facilitate [facilitating] ordering an item within a distributed computing system including at least one client and at least one server by:
- at least one of showing and describing an item to a user via the client;
 - enabling the user to order the item by a single [interaction] action with respect to the client the single action being in connection with the order; and],
 - in response to the single [interaction] action with respect to the client,
- causing an order for the item to be placed[.].
- wherein the enabling of the user to order the item by the single action includes using (1) previously stored, user related, personal information that is

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stored in a memory associated with the client for repeated use in enabling further orders for further items to be placed and so that it is not necessary to solicit the user related, personal information each time a further order is placed and (2) previously received information related to the item that is being offered for sale at the time of the single action.

261. (Unamended) The machine-readable medium of claim 260, wherein the medium includes a data stream.

262. (Unamended) The machine-readable medium of claim 260, wherein the medium includes a mass storage device.

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OK

263. (Amended) A machine-readable medium embodying a sequence of instructions that, when executed by a machine, cause the machine to facilitate [facilitating] ordering an item by:

providing a client with information to at least one of show and describe an item to a user; and

enabling the user to order the item by a single [interaction] action with respect to the client[,], the single action being in connection with the order.

wherein the enabling of the user to order the item by the single action includes using (1) previously stored, user related, personal information that is stored in a memory for repeated use in enabling further orders for further items to be placed and so that it is not necessary to solicit the user related, personal information each time a further order is placed, and (2) previously provided item information related to the item that is being offered for sale at the time of the single action.

278. (Canceled) A method of facilitating ordering using a distributed computing system including at least one client and at least one server, the method including:

at least one of showing and describing an offering to a user via the client;
enabling the user to order the offering by a single interaction with the

client; and

in response to the single interaction with the client causing an order related to the offering to be placed.

279. (Canceled) A method including:

providing a client with information to at least one of show and describe an offering to a user; and

enabling the user to order the offering by a single interaction with the client.

280. (Canceled) A computer system including:

a data processing system to at least one of show and describe an offering to a user; and

a client to enable the user to order the item by a single interaction with the client and, in response to the single interaction, to cause an order for the offering to be placed.

281. (Canceled) A computer system including:

a data source to provide a client with information to at least one of show and describe an offering to a user; and

an information source to provide the client with information to enable the user to order the offering by a single interaction with the client.

$\frac{d}{dt} \int_{\Omega} u^2 dx = -2 \int_{\Omega} u \Delta u dx = 0$



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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:
Commissioner for Patents
BOX RCE
Washington, DC 20231

Application No. 09/672,523
Filing Date September 27, 2000
First Named Inventor Kuriakose Joseph
Group/Art Unit 3626
Examiner Name Alexander G. Kalinowski
Attorney Docket Number 5214P001R

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR § 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on (Any unentered amendment(s) referred to above will be entered).
ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
iii. ☐ Other _____
b. ☒ Enclosed
i. ☐ Amendment/Reply
ii. ☐ Affidavit(s)/Declaration(s)
iii. ☐ Information Disclosure Statement (IDS)
iv. ☒ Other Preliminary Amendment

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(d) required)
b. ☐ Other _____

3. Fees

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-2666.
i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) and any additional claims fee(s)
ii. ☐ Extension of time fee (37 C.F.R. § 1.136 and 1.17)
iii. ☐ Other: (\$00)
b. ☒ Check in the amount of \$750.00 enclosed
c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	André L. Marais	Registration No. (Attorney/Agent)	48,095
Signature		Date	February 20, 2003

CERTIFICATE OF MAILING OR TRANSMISSION

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February 20, 2003

Name (Print/Type)	Leslie D. Rogan	Date	February 20, 2003
Signature			

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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003 Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$) **750.00**

Complete if Known

Application Number	09/672,523
Filing Date	September 27, 2000
First Named Inventor	Kuriacose Joseph
Examiner Name	Alexander G. Kalinowski
Group/Art Unit	3626
Attorney Docket No.	5214P001R

METHOD OF PAYMENT (check one)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit Account Number **02-2666**

Deposit Account Name **Blakely, Sokoloff, Taylor & Zafman LLP**

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Rescue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					

2. EXTRA CLAIM FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1201	84	2201	42	Independent claims in excess of 3	
1202	280	2202	140	Multiple Dependent claim, if not paid	
1203	34	2203	17	**Rescue independent claims, claim original patent	
1205	18	2205	9	**Rescue claims in excess of 20 and over original patent	
SUBTOTAL (2)					

*or number previously paid, if greater. For Rescues, see below

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
2053	130	2053	65	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1905	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1404	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or rescue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Sheet	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	1809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	750	2901	375	Request for Continued Examination (RCE)	750.00
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) **750.00**

SUBMITTED BY

Name (Print/Type) **André L. Marais**

Signature 

Registration No. (Attorney/Agent)

48,095

Complete (if applicable)

Telephone **(408) 947-8200**

Date

02/20/03

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application to the USPTO. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231



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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$) 750.00

Complete if Known

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First Named Inventor	Kuriacose Joseph
Examiner Name	Alexander G. Kalinowski
Group/Art Unit	3626
Attorney Docket No.	5214P001R

METHOD OF PAYMENT (check one)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account

Deposit Account Number: 02-2666
Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) required under 37 CFR §§ 1.6, 1.17, 1.18 and 1.20
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEES

Large Entity	Fee Code	Fee (\$)	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee			
1002	330	2002	165	Design filing fee			
1003	520	2003	260	Plant filing fee			
1004	750	2004	375	Reissue filing fee			
1005	180	2005	80	Provisional filing fee			
SUBTOTAL (1)						(\$)	

2. EXTRA CLAIM FEES

Total Claims: 20⁺ = 0 X 18.00 = \$0.00
Independent Claims: 3⁺ = 0 X 84.00 = \$0.00
Multiple Dependent

Large Entity	Fee Code	Fee (\$)	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1202	18	2202	9	Claims in excess of 20			
1201	84	2201	42	Independent claims in excess of 3			
1203	280	2203	140	Multiple Dependent claim, if not paid			
1204	84	2204	42	**Reissue independent claims over original patent			
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent			
SUBTOTAL (2)						(\$)	0.00

**or number previously paid, if greater, For Reissues, see below

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Fee Code	Fee (\$)	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath			
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet			
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1807	50	1807	50	Processing fee under 37 CFR 1.17(c)			
1806	180	1806	180	Submission of Information Disclosure Sheet			
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1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))			
1801	750	2801	375	Request for Continued Examination (RCE)			
1802	900	1802	900	Request for expedited examination of a design application			
Other fee (specify)							
SUBTOTAL (3)						(\$)	750.00

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Name (Print/Type): André L. Marais
Signature: *AM*

Registration No. (Attorney/Agent)

48,095

Complete (if applicable)

Telephone (408) 947-8200

Date 02/20/03

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Attorney's Docket No. 5214P001R

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kuriacose JOSEPH, et al.

Application No.: 09/672,523

Filed: September 27, 2000

For: A METHOD AND SYSTEM TO
FACILITATE ORDERING OF AN ITEM
(As Amended)

Examiner: Kalinowski, Alexander G.

Art Group: 3626

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on February 20, 2003
Date of Deposit

Leslie Rogan
Name of Person Mailing Correspondence
Signature Date 2/20/03

Assistant Commissioner for Patents
Washington, D.C. 20231

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GROUP 3600

PRELIMINARY AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION

Sir:

In response to the Final Office Action mailed November 20, 2002,
Applicants respectfully request the Examiner to enter the following amendments
and to consider the following remarks.

IN THE CLAIMS:

Please amend the claims as follows:

CLEAN VERSION OF CLAIMS

Please cancel claims 12, 30, 40, 60, and 278-281, without prejudice.

10. (Amended) A method of facilitating ordering an item using a distributed computing system including at least one client and at least one server, the method including:

at least one of showing and describing an item to a user via the client;
enabling the user to order the item by a single action with respect to the client, the single action being in connection with the order; and
in response to the single action with respect to the client, causing an order for the item to be placed,

wherein the enabling of the user to order the item by the single action includes using (1) previously stored, user related personal information that is stored in a memory associated with the client for repeated use in enabling further orders for further items to be placed and so that it is not necessary to solicit the user related, personal information each time a further order is placed and (2) previously received information related to the item being offered for sale at the time of the single action.

11. (Amended) The method of claim 10, wherein the single action is one of a group including:

selecting of a single button; and
pressing of a single button on a TV remote control.

13. (Amended) The method of claim 10, wherein the user related, personal information includes at least one of a group including a user's name, address, method of payment and payment account number.

14. (Amended) The method of claim 10, wherein the user related, personal information is stored in memory in the client.

15. (Unamended) The method of claim 10, wherein the distributed computing system is an interactive television system and wherein the at least one of showing and describing of the item is, at least in part, by a television signal.

16. (Unamended) The method of claim 10, wherein the client includes an auxiliary data processor and a client computer.

17. (Amended) The method of claim 12, wherein the client is associated with at least a set top box, and wherein the user related, personal information is stored at the set top box.

18. (Unamended) The method of claim 17, wherein the set top box is in communication with a local computer and associated storage and wherein the method further includes:

the client retrieving information from one or more of the local computer and the associated storage.

19. (Unamended) The method of claim 18, wherein the method further includes:

controlling the client by means of the local computer.

20. (Unamended) The method of claim 18, wherein the local computer is part of a local area network.

21. (Unamended) The method of claim 10, wherein the system further includes a central processing facility in communication with the server and wherein the method includes:

sending information used in processing the order from the client to the central processing facility.

22. (Unamended) The method of claim 10, further including:

sending an order confirmation to the user to confirm the order.

23. (Unamended) The method of claim 21, further including:

communicating information between the client and the server via the central processing facility.

24. (Unamended) The method of claim 23, wherein a telephone system acts as the central processing facility.

25. (Amended) The method of claim 10 including receiving at the client data including:

(a) information to at least one of show and describe the item via the client; and

(b) information to enable the user to order the item by the single action with respect to the client.

26. (Unamended) The method of claim 25 wherein the data further includes an item identifier to identify the item.

27. (Unamended) The method of claim 26 wherein the item identifier includes at least one of a group of identifiers including a code and a command.

28. (Amended) A method of facilitating ordering an item, the method including:

providing a client with information to at least one of show and describe an item to a user; and

enabling the user to order the item by a single action with respect to the client, the single action being in connection with the order,

wherein the enabling of the user to order the item by the single action includes using (1) previously stored, user related, personal information that is stored in a memory for repeated use in enabling further orders for further items to be placed and so that it is not necessary to solicit the user related, personal information each time a further order is placed, and (2) previously provided item information related to the item that is being offered for sale at the time of the single action.

29. (Amended) The method of claim 28, wherein the single action includes a least one of a group including:

selecting of a single button; and

pressing of a single button on a TV remote control.

31. (Amended) The method of claim 28, wherein the user related, personal information includes at least one of a group including a user's name, address, method of payment and payment account number.

32. (Amended) The method of claim 28, including retrieving the user related, personal information from a memory associated with the client.

33. (Amended) The method of claim 28, including providing the information to at least one of show and describe the item in the form of a television signal.

34. (Unamended) The method of claim 28 including communicating with a central processing facility and wherein the client sends the order to the central processing facility for receipt via a transceiver.

35. (Unamended) The method of claim 34 wherein a telephone system acts as the central processing facility.

36. (Unamended) The method of claim 28 including providing an order confirmation to the client to confirm the order.

37. (Amended) The method of claim 28 including multiplexing the provision of the information to at least one of show and describe the item and code to the client to thereby generate data for transmission to the client.

38. (Amended) A computer system to order an item, the system including:
a data processing system to at least one of show and describe an item to a user; and
a client to enable the user to order the item by a single action with respect to the client and, in response to the single action, to cause an order for the item to be placed,

wherein the client is to enable the user to order the item by the single action using (1) previously stored, user related, personal information that is stored in a memory for repeated use in enabling further orders for further items to be placed and so that it is not necessary to solicit the user related, personal information each time a further order is placed and (2) previously received information related to the item that is being offered for sale at the time of the single action.

39. (Amended) The system of claim 38, wherein the single action includes at least one of a group including:

selecting of a single button; and
pressing of a single button on a TV remote control.

41. (Amended) The system of claim 38, wherein the user related, personal information includes at least one of a group including a user's name, address, method of payment and payment account number.

42. (Amended) The system of claim 38, wherein the user related, personal information is stored in memory of the client.

43. (Amended) The system of claim 38, wherein the computer system is an interactive television system and wherein the at least one of showing and describing of the item by the data processing system is, at least in part, performed utilizing a television signal.

45. (Amended) The system of claim 38, wherein the client is associated with at least a set top box, and wherein the user related, personal information is stored at the set top box.

46. (Unamended) The system of claim 45, wherein the set top box is in communication with a local computer and associated storage and wherein the client is to retrieve information from one or more of the local computer and the associated storage.

47. (Unamended) The system of claim 46, wherein the local computer controls the client.

48. (Unamended) The system of claim 46, wherein the local computer is part of a local area network.

49. (Unamended) The system of claim 38, including a central processing facility in communication with a server and wherein the client sends information used in processing to the central processing facility.

50. (Unamended) The system of claim 49 wherein the server is to send an order confirmation to the user to confirm the order.

51. (Unamended) The system of claim 49, wherein the central processing facility is to communicate information between the client and the server.

52. (Unamended) The system of claim 51 wherein a telephone system acts as the central processing facility.

53. (Amended) The system of claim 38 including a data receiver to receive data including:

information to at least one of show and describe the item via the client;
and

information to enable the user to order the item by the single action with respect to the client.

54. (Amended) The system of claim 53 wherein the data receiver includes an auxiliary data extractor to extract the information to at least one of show and describe from the data and a packet data extractor to extract the information to enable from the data.

55. (Unamended) The system of claim 54 wherein the auxiliary data extractor provides the information to at least one of show and describe to the data processing system and the packet data extractor provides the information to enable to the client.

56. (Unamended) The system of claim 53 wherein the data further includes an item identifier to identify the item.

57. (Unamended) The system of claim 56 wherein the item identifier includes at least one a group of identifiers including a code and a command.

58. (Amended) A computer system to facilitate ordering an item, the system including:

a data source to provide a client with first information to at least one of show and describe an item to a user; and

an information source to provide the client with second information to enable the user to order the item by a single action with respect to the client,

wherein the client is to enable the user to order the item by the single action using (1) previously stored, user related, personal information that is stored in a memory for repeated use in enabling further orders for further items to be placed and so that it is not necessary to solicit the user related, personal information each time a further order is placed and (2) previously received information related to the item that is being offered for sale at the time of the single action.

59. (Amended) The system of claim 58, wherein the single action includes at least one of a group including:

a selecting of a single button; and

a pressing of a single button on a TV remote control.

61. (Amended) The system of claim 58, wherein the user related, personal information includes at least one of a group including a user's name, address, method of payment and payment account number.

62. (Amended) The system of claim 58, wherein the second information includes code executable by the client to retrieve the user related, personal information from a memory associated with the client.

63. (Unamended) The system of claim 58, wherein the data source is to provide the information in the form of a television signal.

64. (Unamended) The system of claim 58 including a data transceiver to communicate with a central processing facility and wherein the client sends the order to the central processing facility for receipt via the data transceiver.

65. (Unamended) The system of claim 64 wherein a telephone system acts as the central processing facility.

66. (Unamended) The system of claim 58 wherein the data source is to provide an order confirmation to the client to confirm the order.

67. (Amended) The system of claim 58 including a multiplexer to multiplex the provision of the first information to at least one of show and describe and the second information to enable to the client to thereby generate data for transmission to the client.

246. (Amended) The method of claim 25 wherein the information to enable includes code executable by the client to enable the user to order the item by the single action with the client.

247. (Amended) The method of claim 25 wherein the information to enable includes data to be processed by code executable by the client to enable the user to order the item by the single action with the client.

248. (Unamended) The method of claim 28 wherein the enabling includes providing code to enable the user to order the item.

249. (Unamended) The method of claim 28 wherein the enabling includes providing data to be processed by code to enable the user to order the item.

250. (Unamended) The system of claim 53 wherein the information to enable includes code to enable the user to order the item.

251. (Unamended) The system of claim 53 wherein the information to enable includes data to be processed by code to enable the user to order the item.

252. (Amended) The system of claim 58 wherein the second information to enable includes code to be executed by the client to enable the user to order the item.

253. (Unamended) The system of claim 58 wherein the information to enable includes data to be processed by code to enable the user to order the item.

260. (Amended) A machine-readable medium embodying a sequence of instructions that, when executed by a machine, cause the machine to facilitate ordering an item within a distributed computing system including at least one client and at least one server by:

at least one of showing and describing an item to a user via the client;
enabling the user to order the item by a single action with respect to the client the single action being in connection with the order,

in response to the single action with respect to the client, causing an order for the item to be placed,

wherein the enabling of the user to order the item by the single action includes using (1) previously stored, user related, personal information that is stored in a memory associated with the client for repeated use in enabling further orders for further items to be placed and so that it is not necessary to solicit the user related, personal information each time a further order is placed and (2) previously received information related to the item that is being offered for sale at the time of the single action.

261. (Unamended) The machine-readable medium of claim 260, wherein the medium includes a data stream.

262. (Unamended) The machine-readable medium of claim 260, wherein the medium includes a mass storage device.

263. (Amended) A machine-readable medium embodying a sequence of instructions that, when executed by a machine, cause the machine to facilitate ordering an item by:

providing a client with information to at least one of show and describe an item to a user; and
enabling the user to order the item by a single [interaction] action with respect to the client, the single action being in connection with the order,

wherein the enabling of the user to order the item by the single action includes using (1) previously stored, user related, personal information that is stored in a memory for repeated use in enabling further orders for further items to be placed and so that it is not necessary to solicit the user related, personal

information each time a further order is placed, and (2) previously provided item information related to the item that is being offered for sale at the time of the single action.

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REMARKS

In response to the above-identified Final Office Action, the Applicants have amended their application and respectfully request reconsideration thereof. Specifically, the independent claims have been amended to include limitations corresponding partially to limitations in canceled dependent claims. The amendments do not introduce any new matter, and written description to support these limitations can be found in the below quoted text and other portions of the specification for the present application.

It is also possible that permanent information about the viewer (i.e. the name, address, method of payment and credit card number) may be preentered once by the viewer, so it is not necessary to solicit that information each time an order is placed. The information is stored in permanent memory in the client computer. In such a case, when an order is placed, that information is retrieved from the permanent memory, appended to the item number and transmitted to the central computer. It is further possible that, by means of time codes, or other commands, inserted into the data stream, the client computer will know which item is currently being offered for sale. In such a case, the viewer will be able to order it by simply pressing one button on the TV remote control. In response, the client computer can combine the previously received information related to the item currently being offered for sale with the previously stored personal information related to the viewer, and transmit the order to the central computer and receive the confirmation in return. (Specification, column 8, line 52-column 9, line 2).

1. Objections Related to Reissue Formalities

The Applicants have noted the objection against the amendment filed December 20, 2002, which added new claims 246-357 without presenting the entire text of the claim in the required manner (i.e., with underlining). With a view to addressing this objection, the Applicants submit herewith a Response to Notice of Non-Compliant Amendment in which new claims 246-357 are shown to be underlined.

2. Claim Rejections – 35 USC §102

Claims 10, 12, 15, 16, 21-26, 28, 33-36, 38, 40, 43, 51-54, 58, 60, 63-66, 260, 262, 263, 278, 279, 280, and 281 stand rejected under 35 U.S.C §102(e) as allegedly being anticipated by U.S. Patent no. 5,621,456 (hereinafter Florin).

To anticipate a claim, the reference must teach every element of the claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Claim 10 has been amended as indicated herein with a view to addressing this rejection, and to clarify certain wording of the claim. Specifically, claim 10 as amended now includes the following limitations:

"enabling the user to order the item by a single action with respect to the client, the single action being in connection with the order; and

in response to the single action with respect to the client, causing an order for the item to be placed,

wherein the enabling of the user to order the item by the single action includes using (1) previously stored, user related personal information that is stored in a memory associated with the client for repeated use in enabling further

orders for further items to be placed and so that it is not necessary to solicit the user related, personal information each time a further order is placed and (2) previously received information related to the item being offered for sale at the time of the single action." (Emphasis Added).

Turning first to the question of the "single interaction" as reflected in the claims prior to amendment, the Final Office Action, in the Response to Arguments portion thereof, points out that Florin "required 3 actions" by the user to enable a user to order an item. These 3 actions are stated to be encompassed within a single interaction with the client device that is no different than the first and second embodiment (Final Office Action, page 5, lines 16-18). With a view to clarifying, claim 10 has been amended to require that the user be enabled to order the item by a single action with respect to the client, the single action being in connection with the order.

As stated in the previous response, Florin discloses the following:

[T]o order the mini-espresso machine...the user depresses the select button 155 (or the right arrow button 150) to highlight the order icon 490. As illustrated in FIG. 49, the personal identification order number window 420 is displayed in which the user (using the numeric keypad 176) inputs a personal identification number. (PIN). After entering the personal identification number (PIN), the ok. button 178 or select button 155 is depressed in order to order the product. (Florin, column 24, lines 40-47).

The methodology for ordering disclosed in Florin accordingly requires multiple actions by the user, namely:

- 1) user depression of the select button 155 (or the right arrow button 150) to highlight the order icon 490;

- 2) user input of a personal identification number (PIN) utilizing the numeric key pad 176; and
- 3) user selection of the ok button 178 (or the select button 155).

Accordingly, in order to order the mini-espresso machine, the user described in Florin performs three distinct actions with the main module 62, once a decision has been made to order the mini-espresso machine and as part of the order process. In contrast, amended claim 1 requires enabling the user to order the item by a single action.

Secondly, it will be noted that claim 10, as amended, now also specifically requires that the enabling of the user to order the item by a single action utilizing (1) previously stored, user related personal information that is stored in memory for repeated use in enabling further orders for further items to be placed, and so that it is not necessary to solicit the personal information each time a further order is placed.

Florin on the other hand fails to provide any disclosure regarding the storage of personal information for repeated use in enabling further orders to be placed. Specifically, Florin discloses only the following:

Referring to FIG. 48, to obtain further information regarding the mini-espresso machine illustrated in FIG. 47, the user depresses the select button 155 (or the right arrow button 150) on the remote control device 60 to highlight the info icon 408. As illustrated in FIG. 48, information relating to the particular product (i.e. espresso machine) is shown on the screen 180. To order the mini-espresso machine illustrated in FIGS. 47 and 48, the user depresses the select button 155 (or the right arrow button 150) to highlight the order icon 409. As illustrated in FIG. 49, a personal identification order number window 420 is displayed in which the user (using the numeric keypad 176) inputs a personal

identification number (PIN). After entering the personal identification number (PIN), the ok button 178 or select button 155 is depressed to order the product. In the presently preferred embodiment, once the personal identification number (PIN) of the user is entered into the system of the present invention and the ok button 178 or the select button 155 is depressed, a signal is provided by the CPU 63 to the service provider 50, using one of the back channels 102 (See FIG. 3)a. As illustrated in FIG. 50, a confirmation of the order, along with a delivery time is displayed to the user. It will also be appreciated that other home shopping interface variants may be designed and implemented using the teachings of the present invention. (Florin, column 24, lines 33-57).

In summary, each and every limitation of claim 10, as amended, is not found either expressly or inherently described in Florin. The other independent claims of the present application have been amended to include limitations corresponding substantially to the above-discussed limitations of claim 10. The Applicants accordingly contend that these further independent claims overcome the 35 U.S.C. §102(e) rejection for the same reasons set out above.

3. Claim Rejections - 35 U.S.C. § 103

A number of claims stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Florin and in view of further references.

To establish a **prima facie** case of **obviousness**, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. **Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.** The

teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

The prior art references when combined (i.e., Florin when combined with various other references as set out in the Office Action) simply do not teach or suggest all claim limitations of the claims rejected under 35 U.S.C. § 103. Specifically, each of these rejected claims is dependent upon an independent claim that is shown above to include a limitation that is not taught or suggested by Florin. Accordingly, the rejection of the various dependent claims under 35 U.S.C. § 103 is addressed by the above remarks that set out how the independent claims of the present application are distinguished over Florin.

In summary, the Applicants contend that all claims are now in a condition for allowance, which is earnestly solicited. If a telephone interview would in any way expedite allowance of the claims, the Examiner is invited to call the undersigned attorney at (408) 947-8200 ext. 204.

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then the Applicants hereby request such an extension.

Respectfully submitted,
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Dated: 02/20/ 2003



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VERSION OF CLAIMS WITH MARKINGS

Please cancel claims 12, 30, 40, 60, and 278-281, without prejudice.

10. (Amended) A method of facilitating ordering an item using a distributed computing system including at least one client and at least one server, the method including:

at least one of showing and describing an item to a user via the client;

enabling the user to order the item by a single [interaction] action with respect to the client, the single action being in connection with the order; and

in response to the single [interaction] action with respect to the client, causing an order for the item to be placed[.].

wherein the enabling of the user to order the item by the single action includes using (1) previously stored, user related personal information that is stored in a memory associated with the client for repeated use in enabling further orders for further items to be placed and so that it is not necessary to solicit the user related, personal information each time a further order is placed and (2) previously received information related to the item being offered for sale at the time of the single action.

11. (Amended) The method of claim 10, wherein the single [interaction] action is one of a group including:

selecting of a single button; and

pressing of a single button on a TV remote control.

12. (Canceled) The method of claim 10, wherein causing the order to be placed is achieved by using:

information related to the item; and
user related personal information.

13. (Amended) The method of claim [12] 10, wherein the user related, personal information includes at least one of a group including a user's name, address, method of payment and payment account number.

14. (Amended) The method of claim [12] 10, wherein the user related, personal information is stored in memory in the client.

15. (Unamended) The method of claim 10, wherein the distributed computing system is an interactive television system and wherein the at least one of showing and describing of the item is, at least in part, by a television signal.

16. (Unamended) The method of claim 10, wherein the client includes an auxiliary data processor and a client computer.

17. (Amended) The method of claim 12, wherein the client is associated with at least a set top box, and wherein the user related, personal information is stored at the set top box.

18. (Unamended) The method of claim 17, wherein the set top box is in communication with a local computer and associated storage and wherein the method further includes:

the client retrieving information from one or more of the local computer and the associated storage.

19. (Unamended) The method of claim 18, wherein the method further includes:

controlling the client by means of the local computer.

20. (Unamended) The method of claim 18, wherein the local computer is part of a local area network.

21. (Unamended) The method of claim 10, wherein the system further includes a central processing facility in communication with the server and wherein the method includes:

sending information used in processing the order from the client to the central processing facility.

22. (Unamended) The method of claim 10, further including:
sending an order confirmation to the user to confirm the order.

23. (Unamended) The method of claim 21, further including:
communicating information between the client and the server via the central processing facility.

25. (Unamended) The method of claim 23, wherein a telephone system acts as the central processing facility.

25. (Amended) The method of claim 10 including receiving at the client data including:

- (c) information to at least one of show and describe the item via the client; and
- (d) information to enable the user to order the item by the single [interaction] action with respect to the client.

26. (Unamended) The method of claim 25 wherein the data further includes an item identifier to identify the item.

27. (Unamended) The method of claim 26 wherein the item identifier includes at least one of a group of identifiers including a code and a command.

28. (Amended) A method of facilitating ordering an item, the method including:

providing a client with information to at least one of show and describe an item to a user; and

enabling the user to order the item by a single [interaction] action with respect to the client[.], the single action being in connection with the order, wherein the enabling of the user to order the item by the single action includes using (1) previously stored, user related, personal information that is stored in a memory for repeated use in enabling further orders for further items to be placed and so that it is not necessary to solicit the user related, personal information each time a further order is placed, and (2) previously provided item information related to the item that is being offered for sale at the time of the single action.

29. (Amended) The method of claim 28, wherein the single [interaction] action includes a least one of a group including:

selecting of a single button; and
pressing of a single button on a TV remote control.

30. (Canceled) The method of claim 28, including receiving the order from the client, the order including:

information related to the item; and
user related personal information.

31. (Amended) The method of claim [30] 28, wherein the user related, personal information includes at least one of a group including a user's name, address, method of payment and payment account number.

32. (Amended) The method of claim [30] 28, including retrieving the user related, personal information from a memory associated with the client.

33. (Amended) The method of claim 28, including providing the information to at least one of show and describe the item in the form of a television signal.

34. (Unamended) The method of claim 28 including communicating with a central processing facility and wherein the client sends the order to the central processing facility for receipt via a transceiver.

35. (Unamended) The method of claim 34 wherein a telephone system acts as the central processing facility.

36. (Unamended) The method of claim 28 including providing an order confirmation to the client to confirm the order.

37. (Amended) The method of claim [248] 28 including multiplexing the provision of the information to at least one of show and describe the item and [the] code to the client to thereby generate data for transmission to the client.

38. (Amended) A computer system to order an item, the system including:
a data processing system to at least one of show and describe an item to a user; and

a client to enable the user to order the item by a single [interaction] action with respect to the client and, in response to the single [interaction] action, to cause an order for the item to be placed[.].

wherein the client is to enable the user to order the item by the single action using (1) previously stored, user related, personal information that is stored in a memory for repeated use in enabling further orders for further items to be placed and so that it is not necessary to solicit the user related, personal information each time a further order is placed and (2) previously received information related to the item that is being offered for sale at the time of the single action.

39. (Amended) The system of claim 38, wherein the single [interaction] action includes at least one of a group including:

selecting of a single button; and

pressing of a single button on a TV remote control.

40. (Canceled) The system of claim 38, wherein the client is to place the order using:

information related to the item; and
user related personal information.

41. (Amended) The system of claim [40] 38, wherein the user related, personal information includes at least one of a group including a user's name, address, method of payment and payment account number.

42. (Amended) The system of claim [40] 38, wherein the user related, personal information is stored in memory of the client.

43. (Amended) The system of claim 38, wherein the [distributed computing] computer system is an interactive television system and wherein the at least one of showing and describing of the item by the data processing system is, at least in part, performed utilizing a television signal.

45. (Amended) The system of claim 38, wherein the client is associated with at least a set top box, and wherein the user related, personal information is stored at the set top box.

46. (Unamended) The system of claim 45, wherein the set top box is in communication with a local computer and associated storage and wherein the client is to retrieve information from one or more of the local computer and the associated storage.

47. (Unamended) The system of claim 46, wherein the local computer controls the client.

48. (Unamended) The system of claim 46, wherein the local computer is part of a local area network.

49. (Unamended) The system of claim 38, including a central processing facility in communication with a server and wherein the client sends information used in processing to the central processing facility.

50. (Unamended) The system of claim 49 wherein the server is to send an order confirmation to the user to confirm the order.

51. (Unamended) The system of claim 49, wherein the central processing facility is to communicate information between the client and the server.

52. (Unamended) The system of claim 51 wherein a telephone system acts as the central processing facility.

53. (Amended) The system of claim 38 including a data receiver to receive data including:

information to at least one of show and describe the item via the client;

and

information to enable the user to order the item by [a] the single [interaction] action with respect to the client.

54. (Amended) The system of claim 53 wherein the data receiver includes an auxiliary data extractor to extract the information to at least one of show and describe from the data and a packet data extractor to extract the information to enable from the data.

55. (Amended) The system of claim 54 wherein the auxiliary data extractor provides the information to at least one of show and describe to the data processing system and the packet data extractor provides the information to enable to the client.

56. (Unamended) The system of claim 53 wherein the data further includes an item identifier to identify the item.

57. (Unamended) The system of claim 56 wherein the item identifier includes at least one a group of identifiers including a code and a command.

58. (Amended) A computer system to facilitate ordering an item, the system including:

a data source to provide a client with first information to at least one of show and describe an item to a user; and

an information source to provide the client with second information to enable the user to order the item by a single [interaction] action with respect to the client[.],

wherein the client is to enable the user to order the item by the single action using (1) previously stored, user related, personal information that is stored in a memory for repeated use in enabling further orders for further items to be placed and so that it is not necessary to solicit the user related, personal

information each time a further order is placed and (2) previously received information related to the item that is being offered for sale at the time of the single action.

59. (Amended) The system of claim 58, wherein the single [interaction] action includes at least one of a group including:

- a selecting of a single button; and
- a pressing of a single button on a TV remote control.

60. (Canceled) The system of claim 58, including a data receiver to receive the order from the client, the order including:

- information related to the item; and
- user related personal information.

61. (Amended) The system of claim [60] 58, wherein the user related, personal information includes at least one of a group including a user's name, address, method of payment and payment account number.

62. (Amended) The system of claim [60] 58, wherein the [code is] second information includes code executable by the client to retrieve the user related, personal information from a memory associated with the client.

63. (Unamended) The system of claim 58, wherein the data source is to provide the information in the form of a television signal.

64. (Unamended) The system of claim 58 including a data transceiver to communicate with a central processing facility and wherein the client sends the order to the central processing facility for receipt via the data transceiver.

65. (Unamended) The system of claim 64 wherein a telephone system acts as the central processing facility.

66. (Unamended) The system of claim 58 wherein the data source is to provide an order confirmation to the client to confirm the order.

67. (Amended) The system of claim 58 including a multiplexer to multiplex the provision of the first information to at least one of show and describe and the second information to enable to the client to thereby generate data for transmission to the client.

246. (Amended) The method of claim 25 wherein the information to enable includes code executable by the client to enable the user to order the item by the single [interaction] action with the client.

247. (Amended) The method of claim 25 wherein the information to enable includes data to be processed by code executable by the client to enable the user to order the item by the single [interaction] action with the client.

248. (Unamended) The method of claim 28 wherein the enabling includes providing code to enable the user to order the item.

249. (Unamended) The method of claim 28 wherein the enabling includes providing data to be processed by code to enable the user to order the item.

250. (Unamended) The system of claim 53 wherein the information to enable includes code to enable the user to order the item.

251. (Unamended) The system of claim 53 wherein the information to enable includes data to be processed by code to enable the user to order the item.

252. (Amended) The system of claim 58 wherein the second information to enable includes code to be executed by the client to enable the user to order the item.

253. (Amended) The system of claim 58 wherein the information to enable includes data to be processed by code to enable the user to order the item.

260. (Amended) A machine-readable medium embodying a sequence of instructions that, when executed by a machine, cause the machine to facilitate [facilitating] ordering an item within a distributed computing system including at least one client and at least one server by:

at least one of showing and describing an item to a user via the client;

enabling the user to order the item by a single [interaction] action with respect to the client the single action being in connection with the order; and],

in response to the single [interaction] action with respect to the client, causing an order for the item to be placed[.],

wherein the enabling of the user to order the item by the single action includes using (1) previously stored, user related, personal information that is

stored in a memory associated with the client for repeated use in enabling further orders for further items to be placed and so that it is not necessary to solicit the user related, personal information each time a further order is placed and (2) previously received information related to the item that is being offered for sale at the time of the single action.

261. (Unamended) The machine-readable medium of claim 260, wherein the medium includes a data stream.

262. (Unamended) The machine-readable medium of claim 260, wherein the medium includes a mass storage device.

263. (Amended) A machine-readable medium embodying a sequence of instructions that, when executed by a machine, cause the machine to facilitate [facilitating] ordering an item by:

providing a client with information to at least one of show and describe an item to a user; and
enabling the user to order the item by a single [interaction] action with respect to the client[.], the single action being in connection with the order,

wherein the enabling of the user to order the item by the single action includes using (1) previously stored, user related, personal information that is stored in a memory for repeated use in enabling further orders for further items to be placed and so that it is not necessary to solicit the user related, personal information each time a further order is placed, and (2) previously provided item information related to the item that is being offered for sale at the time of the single action.

278. (Canceled) A method of facilitating ordering using a distributed computing system including at least one client and at least one server, the method including:

- at least one of showing and describing an offering to a user via the client;
- enabling the user to order the offering by a single interaction with the client; and
- in response to the single interaction with the client causing an order related to the offering to be placed.

279. (Canceled) A method including:

- providing a client with information to at least one of show and describe an offering to a user; and
- enabling the user to order the offering by a single interaction with the client.

280. (Canceled) A computer system including:

- a data processing system to at least one of show and describe an offering to a user; and
- a client to enable the user to order the item by a single interaction with the client and, in response to the single interaction, to cause an order for the offering to be placed.

281. (Canceled) A computer system including:

- a data source to provide a client with information to at least one of show and describe an offering to a user; and

an information source to provide the client with information to enable the user to order the offering by a single interaction with the client.

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Attorney's Docket No. 5214P001R

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kuriacose JOSEPH, et. al.

Application No.: 09/672,523

Filed: September 27, 2000

For: A METHOD AND SYSTEM TO
FACILITATE ORDERING OF AN
ITEM (As Amended)

Examiner: Kalinowski, Alexander G.

Art Group: 3626

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Signature Date 2/20/03

Assistant Commissioner of Patents
Washington, DC 20231-9998

RESPONSE TO THE NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121)

Sir:

Applicants below set forth a marked-up version of the replacement claims, as originally presented in the Preliminary Amendment filed on October 6, 2000.

MARKED UP VERSION OF THE CLAIMS

246. (New) The method of claim 25 wherein the information to enable includes code executable by the client to enable the user to order the item by the single interaction with the client.

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247. (New) The method of claim 25 wherein the information to enable includes data to be processed by code executable by the client to enable the user to order the item by the single interaction with the client.

248. (New) The method of claim 28 wherein the enabling includes providing code to enable the user to order the item.

249. (New) The method of claim 28 wherein the enabling includes providing data to be processed by code to enable the user to order the item.

250. (New) The system of claim 53 wherein the information to enable includes code to enable the user to order the item.

251. (New) The system of claim 53 wherein the information to enable includes data to be processed by code to enable the user to order the item.

252. (New) The system of claim 58 wherein the information to enable includes code to be executed by the client to enable the user to order the item.

253. (New) The system of claim 58 wherein the information to enable includes data to be processed by code to enable the user to order the item.

254. (New) The method of claim 151 wherein the second stream of packets includes code modules that comprise the computing application and data modules including data to be processed by the computing application.

255. (New) The method of claim 172 wherein the second stream of packets includes code modules that comprise the computing application and data modules including data to be processed by the computing application.

256. (New) The method of claim 189 wherein the second stream of packets includes code modules that comprise the computing application and data modules including the information to be used by the computing application.

257. (New) The system of claim 205 wherein the second stream of packets includes code modules that comprise the computing application and data modules including data to be processed by the computing application.

258. (New) The system of claim 224 wherein the second stream of packets includes at least a portion of the computing application.

259. (New) The system of claim 237 wherein the second information includes at least a portion of the computing application.

260. (New) A machine-readable medium embodying a sequence of instructions that, when executed by a machine, cause the machine to facilitating ordering an item within a distributed computing system including at least one client and at least one server by:

showing and/or describing an item to a user via the client;

enabling the user to order the item by a single interaction with the client; and

in response to the single interaction with the client, causing an order for the item to be placed.

261. (New) The machine-readable medium of claim 260, wherein the medium comprises a data stream.

262. (New) The machine-readable medium of claim 260, wherein the medium comprises a mass storage device.

263. (New) A machine-readable medium embodying a sequence of instructions that, when executed by a machine, cause the machine to facilitating ordering an item by:

providing a client with information to show and/or describe an item to a user;
and

enabling the user to order the item by a single interaction with a client.

264. (New) A machine-readable medium embodying a sequence of instructions that, when executed by a machine, cause the machine to facilitate ordering an item using an interactive television system by:

receiving data, some of which represents video and some of which represents a computing application;

causing the video to be displayed;

executing the computing application to cause display of interactive information;

using one or more of the displayed video and the interactive information to show and/or describe an item to a television user;

enabling the user to select the item by way of an interaction; and

in response to the interaction, causing an order for the item to be placed.

265. (New) A machine-readable medium embodying a sequence of instructions that, when executed by a machine, cause the machine to facilitate ordering an item using an interactive television system by:

providing data, some of which represents video to be displayed and some of which represents a computing application to be executed to display interactive information, to the client, the client to use one or more of the displayed video and the interactive information to show and/or describe an item to a television user and to enable the user to select the item by interacting with the client ; and

in response to the interaction, receiving an order for the item.

266. (New) A machine-readable medium embodying a sequence of instructions that, when executed by a machine, cause the machine to facilitate placing an order for an item by:

receiving an order request at a client system;

automatically determining an item identity for an item to which the order request pertains;

automatically retrieving previously stored personal information previously, the retrieved personal information pertaining to a user associated with the client system; and

causing an order to be placed, the order including the item identity and the retrieved personal information.

267. (New) A machine-readable medium embodying a sequence of instructions that, when executed by a machine, cause the machine to facilitate placing of an order for an item by communicating data to a client system, the data including:

information related to an item; and

information to be used by a computing application to receive an order request at the client system, automatically to determine an item identity for an item to which the order request pertains utilizing the information related to the item, automatically to retrieve personal information of a user associated with the client system, the retrieved personal information having been previously stored, and to cause an order to be placed, the order including the item identity and the retrieved personal information.

268. (New) A method of facilitating ordering an item using an interactive television system including at least one client and at least one server, the method comprising:

using the server to provide data for use by a computing application to the client;

at the client, executing the computing application to cause display of interactive information;

using the interactive information to show and/or describe an item to a television viewer;

enabling the viewer to select the item by interacting with the client; and

in response to the viewer interaction, causing an order relating to the item to be placed.

269. (New) The method of claim 268, wherein the viewer interaction is by way of a single command.

270. (New) The method of claim 269, wherein the single command is by one of a group of:

selecting of a single button; and

pressing of a single button on a TV remote control.

271. (New) The method of claim 268, wherein causing the order to be placed is achieved by using:

information related to the item and viewer related personal information.

272. (New) The method of claim 271, wherein the personal information is stored in memory at the client.

273. (New) A method of facilitating ordering an item using an interactive television system, the method comprising:

receiving data to be used by a computing application;

executing the computing application to cause display of interactive information;

using the interactive information to show and/or describe an item to a television user;

enabling the user to select the item by way of an interaction; and

in response to the interaction, causing an order relating to the item to be placed.

274. (New) A method of facilitating ordering an item using an interactive television system, the method comprising:

providing data to be used by a computing application to a client to cause display of interactive information, the client to use the interactive information to show and/or describe an item to a television user and to enable the user to select the item by interacting with the client; and

in response to the interaction, receiving an order for the item.

275. (New) An interactive television system comprising:

a server to provide data, to be used by a computing application, to a client;

the client to:

execute the computing application to cause display of interactive information;

use the interactive information to show and/or describe an item to a television user;

enable the television user to select the item by interacting with the client ;
and

in response to the interaction, cause an order for the item to be placed.

276. (New) An interactive television system to order an item, the system comprising:

a receiver to receive data to be used by a computing application; and

a processing unit to:

execute the computing application to cause display of interactive information;

using the interactive information, show and/or describe an item to a television user;

enable the user to select the item by way of an interaction; and

in response to the interaction, cause an order for the item to be placed.

277. (New) An interactive television system to order an item, the system comprising:

a server to provide data, to be used by a computing application to display interactive information, to a client, the client to use the interactive information to show and/or describe an item to a television user and to enable the television user to select the item by interacting with the client; and

a receiver, in response to the interaction, to receive an order for the item.

278. (New) A method of facilitating ordering using a distributed computing system including at least one client and at least one server, the method comprising:

showing and/or describing an offering to a user via the client;

enabling the user to order the offering by a single interaction with the client; and

in response to the single interaction with the client causing an order related to the offering to be placed.

279. (New) A method comprising:

providing a client with information to show and/or describe an offering to a user; and

enabling the user to order the offering by a single interaction with a client.

280. (New) A computer system comprising:

a data processing system to show and/or describe an offering to a user; and

a client to enable the user to order the item by a single interaction with the client and, in response to the single interaction, to cause an order for the offering to be placed.

281. (New) A computer system comprising:

a data source to provide a client with information to show and/or describe an offering to a user; and

an information source to provide a client with information to enable the user to order the offering by a single interaction with a client.

282. (New) A method of facilitating ordering using an interactive television system including at least one client and at least one server, the method comprising:

using the server to provide data for use by a computing application to the client;

at the client, executing the computing application to cause display of interactive information;

using the interactive information to show and/or describe an offering to a television viewer

enabling the viewer to select the offering by interacting with the client; and

in response to the viewer interaction, causing an order relating to the offering to be placed.

283. (New) A method of facilitating ordering an offering using an interactive television system, the method comprising:

receiving data to be used by a computing application;

executing the computing application to cause display of interactive information;

using the interactive information to show and/or describe an offering to a television user;

enabling the user to select the offering by way of an interaction; and

in response to the interaction, causing an order relating to the offering to be placed.

284. (New) A method comprising:

providing data to be used by a computing application to a client to cause display of interactive information, the client to use the interactive information to show and/or describe an offering to a television user and to enable the user to select the offering by interacting with the client and

in response to the interaction, receiving an order for the offering.

285. (New) An interactive television system comprising:

a server to provide data, to be used by a computing application, to a client;

the client to:

execute the computing application to cause display of interactive information;

use the interactive information to show and/or describe an offering to a television user;

enable the television user to select the offering by interacting with the client; and

in response to the interaction, cause an order for the offering to be placed.

286. (New) An interactive television system comprising:

a receiver to receive data to be used by a computing application; and

a processing unit to:

execute the computing application to cause display of interactive information;

using the interactive information, show and/or describe an offering to a television user;

enable the television user to select the offering by way of an interaction;
and

in response to the interaction, cause an order for the item to be placed.

287. (New) An interactive television system comprising:

a server to provide data, to be used by a computing application to display interactive information, to a client, the client to use the interactive information to show and/or describe an offering to a television user and to enable the television user to select the item by interacting with the client; and

a receiver, in response to the interaction, to receive an order for the item.

288. (New) A method of facilitating placing an order for an item, the method comprising:

receiving an order request at a client system;

automatically determining an offering identity for an offering to which the order request pertains;

automatically retrieving previously stored personal information, the retrieved personal information pertaining to a user associated with the client system; and

causing an order to be placed, the order including the offering identity and the retrieved personal information.

289. (New) A method of facilitating placing of an order, the method comprising communicating data to a client system, the data including:

information related to an offering; and

information to be used by a computing application to receive an order request at the client system, automatically to determine an offering identity for the offering utilizing the information related to the offering, automatically to retrieve personal information of a user associated with the client system, the retrieved personal information having been previously stored, and to cause an order to be placed, the order including the offering identity and the retrieved personal information.

290. (New) A system comprising:

a. a client to receive data including at least auxiliary data, and including:

i. an auxiliary data processor to process the auxiliary data, and

ii. a display to display images based on the processed auxiliary data;

and

b. a local computer collocated with and in communication with the
client to allow the client to communicate with the local computer.

291. (New) The system of claim 290, further comprising a mass storage in
communication with the client to enable the client to retrieve information from the mass
storage.

292. (New) The system of claim 291, wherein the client is to use the mass storage to
store of data to be retrieved later.

293. (New) The system of claim 292, wherein the local computer is to control the
client.

294. (New) The system of claim 293, wherein the local computer is to control the
client to process a computer program included in the received data.

295. (New) The system of claim 290, wherein the local computer is at least one of the
group consisting of a personal computer, a larger computer and a computer network.

296. (New) The system of claim 290, wherein the client further includes a client computer and wherein the received data further includes application data to be processed by the client computer.

297. (New) The system of claim 296, wherein the application data includes computer code to facilitate an interaction with a client system user.

298. (New) The system of claim 296, wherein the application data includes data to be used by computer code executable by the client computer to facilitate an interaction with a client system user.

299. (New) The system of claim 290, wherein the system is an interactive television system and the auxiliary data includes data representing television images.

300. (New) The system of claim 296, wherein the client computer is to generate graphics, in response to execution of computer code, for display by the client system.

301. (New) A television system comprising:

a. a client to receive data including at least auxiliary data, and including:

- i. an auxiliary data processor to process the auxiliary data, and
- ii. a display to display video images, based on the processed auxiliary data; and

b. a mass storage in communication with the client to enable the client to retrieve information from the mass storage.

302. (New) The system of claim 301, wherein the client is to use the mass storage to store of data to be retrieved later.

303. (New) The system of claim 301, further comprising a local computer collocated with and in communication with the client to allow the client.

304. (New) The system of claim 303, wherein the local computer can be used to control the client.

305. (New) The system of claim 304, wherein the local computer is to control the client to process a computer program included in the received data.

306. (New) The system of claim 303, wherein the local computer is at least one of the group consisting of a personal computer, a larger computer and a computer network.

307. (New) The system of claim 301, wherein the client further includes a client computer and wherein the received data further includes application data for processing by the client computer.

308. (New) The system of claim 307, wherein the application data includes computer code executable by the client computer to facilitate an interaction with a client system user.

309. (New) The system of claim 307, wherein the application data includes data to be used by computer code executable by the client computer to facilitate an interaction with a client system user.

310. (New) The system of claim 301, wherein the system is an interactive television system and the auxiliary data includes data representing television images.

311. (New) The system of claim 307, wherein the client computer is to generate graphics, in response to execution of computer code, for display by the client system.

312. (New) A system comprising:

a. a server to generate data including at least auxiliary data;

b. a client to receive the data, and including:

i. an auxiliary data processor to process the auxiliary data, and

ii. a display to display video images, based on the processed auxiliary data; and

c. a local computer collocated with and in communication with the client to allow the client to communicate with the local computer.

313. (New) The system of claim 312, further comprising a mass storage in communication with the client to enable the client to retrieve information from the mass storage.

314. (New) The system of claim 313, wherein the client is to use the mass storage to store of data to be retrieved later.

315. (New) The system of claim 312, wherein the local computer is to control the client.

316. The system of claim 315, wherein the local computer is to control the client to process a computer program included in the received data.

317. (New) The system of claim 312, wherein the local computer is at least one of the group consisting of a personal computer, a larger computer and a computer network.

318. (New) The system of claim 312, wherein the server is to generate the data to include application data to be processed by the client.

319. (New) The system of claim 318, wherein the application data includes computer code executable by the client to facilitate an interaction with a client system user.

320. (New) The system of claim 318, wherein the application data includes data to be used by computer code executable by the client to facilitate an interaction with a client system user.

321. (New) A system comprising:

a. a server to generate data including at least auxiliary data;

b. a client to receive the data, and including:

i. an auxiliary data processor to process the auxiliary data, and

ii. a display to display images, based on the processed auxiliary data; and

c. a mass storage in communication with the client to enable the client to retrieve information from the mass storage.

322. (New) The system of claim 321, wherein the client is to use the mass storage to store data to be retrieved later.

323. (New) The system of claim 321, further comprising a local computer collocated with and in communication with the client to allow the client.

324. (New) The system of claim 323, wherein the local computer can be used to control the client.

325. (New) The system of claim 321, wherein the local computer is at least one of the group consisting of a personal computer, a larger computer and a computer network.

326. (New) The system of claim 321, wherein the server is to generate the data to include application data for processing by the client.

327. (New) The system of claim 326, wherein the application data includes computer code executable by the client to facilitate an interaction with a user.

328. (New) The system of claim 326, wherein the application data includes data to be used by computer code executable by the client to facilitate an interaction with a user.

329. (New) A method comprising:

receiving data including at least auxiliary at a client;

displaying images, based on the auxiliary data utilizing the client; and

communicating between the client and a local computer collocated with and in communication with the client.

330. (New) The method of claim 327 including processing the auxiliary data.

331. (New) The method of claim 329, including retrieving data from a mass storage utilizing the client, the retrieving being performed via the local computer.

332. (New) The method of claim 329, including storing data to be retrieved later at a mass storage utilizing the client, the storing being performed via the local computer.

333. (New) The method of claim 329, including controlling the client utilizing the local computer.

334. (New) The method of claim 333, including controlling the client to process a computer program included in the received data.

335. (New) The method of claim 329, wherein the local computer is at least one of the group consisting of a personal computer, a larger computer and a computer network.

336. (New) The method of claim 329, wherein the client further includes a client computer and wherein the received data further includes application data to be processed by the client computer, the method including utilizing the application data to facilitate an interaction between the client and a user.

337. (New) The method of claim 336, including executing computer code included within the application data to facilitate the interaction.

338. (New) The method of claim 329, wherein the displaying of the images includes generating television images.

339. (New) The method of claim 329, including generating graphics, in response to execution of computer code by the client, for display by the client.

340. (New) The method of claim 329, including generating the received data to include computer code executable by the client to facilitate an interaction with a user.

341. (New) The method of claim 329, including generating the received data to include application data to be used by computer code executable by the client to facilitate an interaction with a user.

342. (New) A method comprising:

receiving data including at least auxiliary data at a client;

displaying images, based on the processed auxiliary data utilizing the client; and

retrieving information from mass storage utilizing the client, the mass storage being in communication with the client.

343. (New) The method of claim 342 including processing the auxiliary data.

344. (New) The method of claim 342, wherein the retrieving being performed via a local computer.

345. (New) The method of claim 342, including storing data to be retrieved later at the mass storage utilizing the client, the storing being performed via a local computer.

346. (New) The method of claim 342, including controlling the client utilizing a local computer.

347. (New) The method of claim 346, including controlling the client to process a computer program included in the received data.

348. (New) The method of claim 346, wherein the local computer is at least one of the group consisting of a personal computer, a larger computer and a computer network.